

INTRODUCTION TO
HERBERT SPENCER'S
SYNTHETIC PHILOSOPHY

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ALFRED WHILETT

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SPENCER'S SYNTHETIC
PHILOSOPHY.



SPENCER'S SYNTHETIC PHILOSOPHY :

WHAT IT IS ALL ABOUT.

AN INTRODUCTION TO *JUSTICE*,
“THE MOST IMPORTANT PART.”

BY

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PREFACE.

THOSE who have not made the acquaintance of *A System of Synthetic Philosophy* find themselves confronted with ten massive volumes—ten volumes which contain about six thousand pages. Opening first one and then another volume it is soon discovered that an immense range of subjects is dealt with—as indeed the titles alone of the volumes eloquently proclaim. To the question :—“ What is it all about ? ” a satisfactory reply is not to be found : and apart from the remote contingency of one isolated passage being noted—(a passage which occurs in but one volume of the ten)—and apart from the improbability of due significance being at the same time attached to this particular passage, one volume after another might be glanced at, or even carefully read, and no idea whatever obtained as to Spencer’s aim. And hence there is imminent risk that a desire to become

acquainted with the real purpose of the *Synthetic Philosophy* should, owing to the character of the work, its gigantic proportions, its scientific terminology and the complexity and abstruse nature of many of the subjects dealt with in it in an absolutely unique way, involve fruitless work, perhaps ending in discouragement or dissatisfaction or both. Whilst, for instance, *The Principles of Biology* is a work of transcendent interest altogether apart from its being a necessary part of the *Synthetic Philosophy* and, to quote Darwin's estimate of it, "wonderfully clever," and whilst *The Principles of Psychology* is an even more wonderful work, as witness John Stuart Mill's appreciation, even the exhaustive study of these great works would leave the reader entirely in the dark as to the purpose of the *Synthetic Philosophy* of which they form part.

Appreciating the importance of giving aid, Spencer has himself made suggestions as to the best course for the enquirer to pursue. This valuable guidance will be found in a note prefixed to Appendix B to

Life and Letters of Herbert Spencer—an Appendix which consists of a remarkable outline history of the development of his System entitled “The Filiation of Ideas,” originally intended for the *Autobiography* but which Spencer left to be used by his biographer, Dr. Duncan. Spencer’s advice is to read: first, a number of the *Essays*, beginning with the more popular; then *Education*; then *The Study of Sociology*; and then Appendix B—“The Filiation of Ideas.”

Whilst Spencer’s “sketch plan” calls for the most careful consideration, and whilst it may seem presumptuous to raise any question at all as to the advice he has given, it nevertheless appears to be evident that, even before studying his “sketch plan,” it is of paramount importance to know what was his aim throughout—the aim of *A System of Synthetic Philosophy*. Spencer’s idea in naming the works in question as the first to be read by way of introduction to the more difficult works, was, undoubtedly, to name the works which are the easiest to read. Even before turning to these works, however, it must be

helpful to know in a general way what his life work (the *Synthetic Philosophy*) is all about. Spencer does not refer to his aim in the note prefixed to "the Filiation of Ideas"—he does not do so in any of the *Essays*—nor does he do so in *Education*—nor in *The Study of Sociology* ; nor in "The Filiation of Ideas."

The *Essays* cover a very wide range of subjects. They occupy three volumes, and about 1,500 pages ; A glance at the "Contents" of the respective volumes of the *Essays* discloses essays concerning Evolution, Physiology, Astronomy, Geology, Psychology, Sociology, Religion, Moral Philosophy, Electricity, Style, Personal Beauty, Music, Railway Policy, Prison-Ethics, Politics, The Proper Sphere of Government, Socialism, and many other subjects. It is evident, therefore, that in the absence of some clue as to the purpose of the *Synthetic Philosophy*, it is no easy matter to say which of the *Essays* should be regarded as the more suitable by way of introduction.

Education has proved one of Spencer's most popular works. Its scope is much wider than its title suggests ;

and here and there very valuable guidance is to be found ; but, needless to say, its subject-matter proper is education—a subject occupying but a relatively small space in the *Synthetic Philosophy*. The cheap edition of *Education* had reached its forty-seventh thousand some years since ; and it has been translated into French, German, Italian, Russian, Hungarian, Dutch, Danish, Spanish, Swedish, Bohemian, Greek, Japanese, Chinese and several of the languages of India.

The Study of Sociology, as its title implies, is a work in the nature of an introduction to the Science of society. It is a splendid book, and invaluable within its limitations ; but, as indicated above, it does not give any definite idea of the aim of the *Synthetic Philosophy*. It deals primarily with the nature of Social Science ; with the difficulties in the way of Social Science ; with the preparation which is essential to a rationally established Social Science ; and needless to say Spencer's treatment of the subject is most illuminating and exhaustive. But the *Syn-*

thetic Philosophy consists of something more than principles of Social Science. The *Study of Sociology* has been an “unusually successful book of its kind.” Spencer in 1889 estimated that the amount to be received from it would be £1,500 or more; and he says “for a five shilling book on a grave subject such a result was hardly to be expected.”

Did Spencer’s recognition of the need of a plan require confirmation it would be found in the egregiously mistaken ideas which have prevailed and still prevail concerning the *Synthetic Philosophy*. It would be an easy matter to fill pages with evidence of this fact. Suffice it to mention that in “The Filiation of Ideas” Spencer, after explaining the origin and need for the preliminary division of *First Principles* “The Unknowable” says:—

“An absurd conception resulted. While this was simply an introduction intended to exclude misinterpretations, it was, by the few who paid any attention to the book, regarded as its substance. Having inspected the portico, they turned their backs on the building! The general doctrine of a universal transformation, conforming everywhere to the same

laws, was passed by as not calling for exposition or comment ; or, if recognized at all, was supposed to be a sequence of Darwin's doctrine of 'natural selection' ! The thought of the muddle-headed public seems to have been :—Both are evolutionary ; one was published later than the other ; therefore the second is a development of the first."

The mention of Spencer's suggestions for guidance may fitly conclude with a fact which perhaps in a measure accounts for the nature of the advice he has given.

When discussing the obstacles in the way of Social Science in *The Study of Sociology*, Spencer mentions as one of them the general tendency to frame a conception of the minds of others which is more or less after the pattern of one's own mind—an automorphic conception. Unconsciously and in the perfection of his modesty Spencer, it may be contended, has furnished a striking illustration of the automorphic tendency ; for he writes sometimes as if the perusal of his works presented no more difficulty than the perusal of ordinary literature ; and at all times he seems to fail to take account of the immense difference between

his marvellous capacity for thinking, and the average capacity for thinking.

Little more than a glance at the *Synthetic Philosophy* is necessary to render it evident that it is not a work which can be *read* to advantage. The food (figuratively speaking) is too highly concentrated. In large quantities it is indigestible. Not only is the work pervaded by the highest generalizations of the concrete sciences, but these generalizations are supported by an array of facts which require an extensive knowledge of both the concrete and abstract sciences to follow with ease.

In the six thousand pages of the *Synthetic Philosophy* there is not, in so far as Spencer could achieve this end, a superfluous syllable—not to say word. It took Spencer forty years to write this wonderful condensation of knowledge; as the titles of the volumes indicate, they contain *principles*—special truths or simple facts being nowhere included further than essential to firmly establish general truths.

What kind of reading must therefore necessarily

be looked for in such a work ? Even the *Principles of Biology*—a relatively simple work—covers the entire vast area occupied by the sciences of Zoology and Botany, with all their various subdivisions—comparative anatomy, physiology, histology, cytology, embryology, etc. ; and other divisions such as entomology, ichthyology, ornithology, algology, mycology, bryology, etc. What kind of reading must be expected in *First Principles*?—a work displaying such a masterly grasp of Biology as well as of physical principles and ultimate principles that a pre-eminent biologist attributed the essay upon which one of its chapters is based to Huxley—who had not seen it !

In a word, then, it is a mistake to expect the *Synthetic Philosophy* to be as accessible as ordinary literature, or even as scientific works in general, because it is from end to end an *organized* system of *scientific* knowledge. For what is Philosophy ?

“ The reply is—Philosophy may still properly be the title retained for knowledge of the highest generality. Science means merely the family of the Sciences—stands for nothing more than the sum of knowledge formed of their contribu-

tions ; and ignores the knowledge constituted by the *fusion* of the contributions into a whole. As usage has defined it, Science consists of truths existing more or less separated, and does not recognize these truths as entirely integrated. . . .”

“ Or to bring the definition to its simplest and clearest form : knowledge of the lowest kind is *un-unified* knowledge ; Science is *partially unified* knowledge ; Philosophy is *completely unified* knowledge.

“ Such, at least, is the meaning we must here give to the word Philosophy, if we employ it at all. . . .”

What is the implication of these roughly noted preliminaries concerning the study of the *Synthetic Philosophy*? Do they involve shutting the book against all who are not biologists, physiologists, psychologists and sociologists ? Not at all. Merely this : that to expect to find the work, as a whole, one which can be read without preparation, is, necessarily, somewhat as hopeless as to expect to be able to cursorily read and follow the propositions of Euclid with no preparation in geometry.

Briefly reviewing the reasons which appear to justify an attempt to give a satisfactory plan it has been seen that in the ten volumes of the *Synthetic Philosophy* Spencer’s aim is only stated in one

volume and in one passage. It has been noted, too, that the purpose of the whole work is nowhere enlarged upon, and that its real nature is very liable to be missed or inadequately appreciated. Spencer recognized the desirability of giving aid, but his suggestion fails in the vital respect that following it does not involve any definite clue. On examination Spencer's System is found at once to be a work which cannot be profitably read as a literary product: and it is a fact that much misunderstanding has existed and prevails as to his aim—and this not only on the part of the “muddle-headed public.”

In approaching *A System of Synthetic Philosophy* the first consideration of all is, obviously, to do so with a clear and accurate idea of Spencer's aim. In the next place, one part of the System being regarded by Spencer as of more importance than all the other parts, it is equally obvious that it is well at the start to appreciate the aim of this part. The scheme of the chapters which follow is, therefore, to give a rough outline of the *Synthetic Philosophy* as a whole, coupled

with a more complete map of one—the most important—part of it.

It will be seen that for convenience of study the *Synthetic Philosophy* may be regarded as divisible into four parts. Firstly: a part which concerns Spencer's theologicometaphysical beliefs. This part may be rejected in its entirety. Secondly: parts which are subsidiary—although they necessarily underlie and form the basis of the culminating part. Thirdly: the culminating part; and, fourthly: a portion of such culminating part which was regarded by Spencer as the most important of all.

To biographical matters all reference is omitted. Spencer's *Autobiography* and Dr. Duncan's *Life and Letters of Herbert Spencer* adequately supply all the information which can be desired. Both these works are invaluable. A glance at *Life and Letters* reveals such facts as the remarkable list of honours which Spencer declined—the equally remarkable list of signatures to congratulations on the completion of the *Synthetic Philosophy*—the numerous languages into

which Spencer's works have been translated—the terms of Darwin's acknowledgment of the *Essay* which, with others, forestalled him and Wallace in the enunciation of the Law of Evolution—the intimate nature of the friendship between Spencer and Huxley, Hooker, Tyndall and other great men, and other equally noteworthy facts indicating Spencer's unique position in the world of thought. In the “small fraction” of Spencer's letters included by Dr. Duncan are many which are most valuable in elucidating Spencer's doctrines.

Little reference will be found to Spencer's views on current political questions. The *Autobiography* and *Life and Letters*, needless to say, sufficiently cover this ground. The questions discussed are not political questions of the day, but the ideal political principles of the *Synthetic Philosophy* and the scientific basis upon which they rest.

Appendix A contains extracts from letters from the late Sir Joseph Hooker and Dr. Duncan to the author. It has been thought well to give a perma-

inent place to these letters for reasons which appear in Appendix A. In Appendix B a reference is made to Spencer's change of opinion on the Land-Question.

It is hoped that the guidance afforded by the facts which are noted may in some degree atone for a conspicuous lack of style. It has been thought best that cardinal facts should be verified by the evidence of Spencer's own words. Any such a rough sketch as that which follows must necessarily fall very short of doing justice to Spencer.

WITTON, NORWICH,

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CHAPTER I.

THE AIM.

On the last page but one of the Appendix to his last volume, *Facts and Comments*, the preface to which is dated March, 1902 (five years after the completion of the *Synthetic Philosophy*) Spencer notes a striking fact:—

“ Since the issue of the *Synthetic Philosophy* commenced in 1860, there has, so far as I know, been only a single review-article in which a concise account of its leading ideas was attempted; and that was in an American provincial paper. In no daily, weekly, monthly, or quarterly periodical in England has a reviewer sought to explain what it is all about. Of one small instalment a clear idea was given some twenty years ago; but a general idea of the whole, no critic has ever attempted to give during the forty years which have now passed.”

Unassuming to a degree at all times, Spencer was doubtless quite unconscious that it was after all any very difficult matter for a reviewer to

take in hand the ten volumes of the *Synthetic Philosophy* and explain what it was all about! Previously to the publication of the *Autobiography* the difficulty was a much greater one than it is now. At the time when the above passage was written, only one specific statement, it is believed, was contained in Spencer's works as to his ultimate purpose; and, occurring as it does in the preface to but one volume of the ten (*The Data of Ethics*), this solitary allusion to his aim could easily be passed over without its importance being duly appreciated. In the event of this one specific statement as to the aim being overlooked, it would be a difficult matter indeed to draw the correct inference that the first eight volumes of the *Synthetic Philosophy* were subsidiary to the last two. Now, the *Autobiography* would generally be consulted; and, needless to say, it forms the best possible preliminary "Introduction." The *Autobiography* contains specific references by Spencer to his aim. As these references are, however, few and far between, it may be useful to give side by side such statements on the subject as occur.

The first definite mention by Spencer of his aim occurs in a letter dated February 16, 1878, which is quoted in the *Autobiography* as follows:—

"I begin to feel that it is quite a possible thing that I may never get through both the other volumes of the *Principles of Sociology*, and that if I go on writing them, and not doing anything towards the *Principles of Morality* till they are done, it may result in this last subject remaining untreated altogether; and since the whole system was at the outset, and has ever continued to be, a basis for a right rule of life, individual and social, it would be a great misfortune if this, which is the outcome of it all, should remain undone."

It would be difficult to over-estimate the importance of this letter. In view of what Spencer says, it has, be it noted, always to be borne in mind in connexion with the study of the *Synthetic Philosophy*, or indeed, any part of it, that "*the whole system was at the outset, and has ever continued to be, a basis for a right rule of life, individual and social.*"

The above-mentioned letter also contains other noteworthy passages:—

"I have some idea of writing and publishing as I am now doing in the *Fortnightly*, the first division of the *Principles of Morality*: showing how morality is to be dealt with from the Evolution point of view, as the outcome of all the preceding investigations."

The Principles of Ethics was, it will be seen, here stated by Spencer to be the outcome of *all* the preceding investigations. "All" the preceding

investigations include the vast explorations made in connexion with *First Principles*, *The Principles of Biology*, *The Principles of Psychology*, and *The Principles of Sociology*.

Leaving *The Sociology*, of which Vol. I only had then been written, Spencer set himself to write *The Data of Ethics*, which was published in 1879, out of the original order of the programme of the *Synthetic Philosophy*. The preface to *The Data of Ethics*, it will have been noted, also contains a statement by Spencer as to his ultimate purpose—indeed, the preface to *The Data of Ethics* contains the most definite and specific reference anywhere made:—

“ This last part of the task it is to which I regard all the preceding parts as subsidiary. Written as far back as 1842, my first essay, consisting of letters on *The Proper Sphere of Government*, vaguely indicated what I conceived to be certain general principles of right and wrong in political conduct; and from that time on my ultimate purpose, lying behind all proximate purposes, has been that of finding for the principles of right and wrong, in conduct at large, a scientific basis.”

In this preface, of which but a brief extract is given, Spencer not only alludes to his purpose in more definite terms than he does elsewhere, but he gives the reasons which prompted him to under-

take his life-work. He states specifically that his aim was to place Ethics upon a scientific basis. Every word of the preface deserves to be dwelt on as a guide to a correct estimate of Spencer's Philosophy. It is easy to pass over Spencer's statements and miss their full import. The question involved is a momentous one. Did Spencer achieve his aim? Has he placed the foundation of political conduct "on bedrocks of truth"? In the place of chaotic "expediency philosophy" and empiricism, have we now a "moral Euclid"? Only when the full significance of an affirmative answer is appreciated does the gigantic value of Spencer's achievement become apparent.

Chapter LII of the *Autobiography* explains how Spencer's first work, the pamphlet on *The Proper Sphere of Government*, led to the second work, *Social Statics*, which was primarily on the same subject, and in which the essential part of the political theory was almost completely developed; and then again, how *Social Statics* led to the *Synthetic Philosophy*, the far greater work, primarily on the same subject. This "Retrospective Glance," which appears in the *Autobiography* under the date of 1874, forcibly illustrates the unity of purpose throughout:—

" For now I had come round a second time to the topic with which I commenced my career as a writer ; after having made first a narrower and then a wider circuit of exploration. In 1842, while but two-and-twenty, the predominant interest I displayed, apart from interests in subjects bearing on civil engineering, was an interest in the politico-ethical question : ' What are the duties of the State, and what are not its duties.' Then resulted the letters, and subsequently the pamphlet, on *The Proper Sphere of Government*. In the interval between 1842 and 1848 a consciousness that the conceptions set forth in this pamphlet were crude and incomplete, prompted me to enter on new fields of thought and inquiry. Various readings in politics and ethics, joined with some excursions into biology and psychology, gave to these conceptions more developed forms and more satisfactory foundations. A desire to set forth the ethical principles reached, and the derived conclusions respecting the right limits of governmental action, led, in 1848, to the commencement of *Social Statics*. At the close of 1850 the results of this widened range of inquiry, as embodied in that work, were published : the completion of the first circuit having brought me round, in the latter chapters, to my original topic.

" In the subsequent seven years, less from intentions than from unconscious proclivity, this process was repeated. Not only subjects nearly allied to the politico-ethical but also subjects remotely allied to it occupied my attention and were dealt with in various essays. This extension of the range of inquiry, leading to more general conclusions, ended in those most general conclusions set forth in the programme of the *Synthetic Philosophy* written out in the first days of 1858. In this the doctrines concerning social organization, and after them the ethical doctrines, were by their positions in the series of volumes described, represented as the outcome of the doctrines included in the volumes on Biology and Psychology, as well as of those included in *First Principles*. That is to say, the politico-

ethical conclusions held had come to form the terminal part of a system the earlier parts of which prepared the way for it. From that date, 1858, down to the time now arrived at, the years had been spent in writing the volumes in which the simpler sciences forming the true basis of the most complex sciences, were dealt with. At length, in 1874, the second circuit, immensely wider than the first, had been traversed ; and I had come round once more, not immediately to the topic with which I set out, but to the science of Sociology at large, which eventually rises to this topic."

How little ground exists for the idea that Spencer's *Synthetic Philosophy* was initiated by Darwin's *Origin of Species*, and that his aim was the same as Darwin's, will be evident ; but, as Spencer says, "wrong beliefs of this kind long persist—all disproofs notwithstanding." "The thought of the muddle-headed public seems to have been : Both are evolutionary ; one was published later than the other, therefore the second is a development of the first." This error, unfortunately, is not confined to the "muddle-headed public." It reappeared, for instance, in definite form in the Herbert Spencer Lecture for 1911.

A remarkable item in the *Autobiography* as to which Professor Huxley wrote "That is something most originally Spencerian," may now be considered.

After commenting on the unsatisfactory character of the reviews of *Social Statics* when that work was

originally published in 1850, Spenceer proceeds to sketch out such a review as might have been written by a competent critic. This "review" is of great value as a guide; not merely to *Social Statics*, but to *A System of Synthetic Philosophy*: for it has to be remembered that Spencer has said that the *Synthetic Philosophy* is, in effect, an enlargement of *Social Statics*. Although Spencer had not in 1850 fully developed the law of evolution, it will be seen, presently, that the subsequent development of that law did not materially affect the politico-ethical doctrines set forth in *Social Statics*. The quotation about to be given is limited to such parts of the "review" as most directly relate to the political theory. Incidentally, it may be mentioned that the title originally proposed for *Social Statics* was "A System of Social and Political Morality."

"Things, human as well as other, are conceived as conforming everywhere and always to immutable law. . . .

"*Social Statics*, or to quote its sub-title, *The conditions essential to human happiness specified, and the first of them developed*, might fitly be characterized as a kind of natural history ethics. . . .

"Passing now to the ethical part of his theory we find Mr. Spencer's first proposition to be that every man is free to do whatsoever he wills provided he does not infringe the equal freedom of any other man—free to do it, that is, in the sense that

within this limit, other men have no right to restrain him. . . .

" Men's claims to life, to personal liberty, to property, to free speech, etc., etc., are corollaries from this first principle: all forms of equity, or equalness, being implied in it.

" Nor need the chapter on 'The Duty of the State' detain us, further than to remark that we wish we could see some sign that the State will presently give to each citizen that complete protection against civil as well as criminal injuries which payment of taxes entitles him to. But the next chapter, 'The Limit of State Duty,' introduces another of Mr. Spencer's peculiar views, which most readers will promptly reject. In it he contends that beyond its function of protector against external and internal enemies the State has no function, and that when it assumes any other function it becomes an aggressor instead of a protector—partly by unduly restricting men's spheres of action, and partly by taking away their money to support its additional staffs of officials.

" In defending some of his theses, however, Mr. Spencer enunciates doctrines which will horrify many soft-hearted people. Describing (on p. 322) the ways in which among animals the destroying agencies at work, continually 'weed out the sickly, the malformed, and the least fleet or powerful,' and saying that by this and kindred processes 'all vitiation of the race through the multiplication of its inferior samples is prevented.' Mr. Spencer goes on to argue that mankind are, and should be subjected to this 'same beneficent though severe discipline,' and he holds that when a Government tries to prevent the misery necessitated by the stress of competition and the consequent 'struggle for life or death' it eventually creates far more misery by fostering the incapables: saying of the 'spurious philanthropists' that 'these sigh-wise and groan-foolish people bequeath to posterity a continually increasing curse.' . . .

" However it is needful to add that Mr. Spencer protests only against interference by the State with the normal connexion between suffering and inferiority: saying of the

natural expurgation of society ever going on, that in so far as the severity of this process is mitigated by the spontaneous sympathy of men for each other, it is proper that it should be mitigated." . . .

The importance of this "review" is emphasized by the fact that it was written for the *Autobiography* in 1886—thirty-six years after the publication of *Social Statics*. At this time, it will be remembered, *First Principles*, *The Principles of Biology*, *The Principles of Psychology*, Vol. I of *The Principles of Sociology*, and Part I of *The Principles of Ethics* had already appeared (this last volume containing the statement quoted above to the effect that all the preceding parts of the *Synthetic Philosophy* were subsidiary to *The Ethics*).

In Appendix A to the *Autobiography* will be found a copy of the programme of the *Synthetic Philosophy* as issued in the spring of 1860. The programme—a wonderful document—concludes with a note in the following words:—

"Part IV of the *Principles of Morality* will be co-extensive (though not identical) with the first half of the writer's *Social Statics*."

Here, then, is another fact demonstrating that the "review" is even more relevant than at first sight.

appears. Not only is Spencer's "review" a general analysis of *Social Statics*, and therefore in a sense a review of the *Synthetic Philosophy*, but his "review" is a specific review of the essential part of the *Synthetic Philosophy*—Part IV of *The Principles of Ethics: Justice*—"a part in which the ethical doctrine originally set forth in an imperfect form, is freed from its crudities and made scientifically coherent;" but "no essential changes in the views set forth in *Social Statics* proved needful."

It will be appropriate to conclude with a passage in "The Filiation of Ideas," the notable chapter constituting an "intellectual history" of himself, written by Spencer near the close of life. This chapter, originally intended for the *Autobiography*, will be found in Appendix B to Dr. Duncan's *Life and Letters*. Near the end Spencer says:—

"The tap-root of the system goes back to *Social Statics*, in which some root-fibres went into Biology, Psychology, and largely into Sociology.

"In *The Ethics of Social Life—Justice* there is at length a return to the topic with which the whole series of my writings commenced. In *The Proper Sphere of Government* and then in *Social Statics*, endeavours were made to reach definite ideas concerning the just regulation of private conduct and the just relations of individuals to the social aggregate, represented by its government. And now, after all the explorations made in

an interval of forty years, this topic came up once more to be dealt with in the light of the results which had then been reached. No essential changes of the views set forth in *Social Statics* prove needful; but there came to be recognized a deeper origin for its fundamental principle."

Spencer has thus placed his aim beyond dispute. *A System of Synthetic Philosophy* is, in effect, a system of Ethics scientifically-based. The aim was achieved by providing for *The Principles of Ethics* the impregnable foundation supplied by the subsidiary volumes of the *Synthetic Philosophy*. "There can be no understanding of social actions without a knowledge of human nature; there can be no deep knowledge of human nature without knowledge of the laws of mind; there can be no adequate knowledge of the laws of mind without knowledge of the laws of life. And that the laws of life, as exhibited in man, may be properly grasped, attention must be given to the laws of life in general."

CHAPTER II.

THE SUPERHUMAN AUTHORITY.

PART I of *First Principles* ("The Unknowable") is not a basis for Part II ("The Knowable"). The chapters comprising Part I, in which Spencer sets forth his beliefs on Ultimate questions, were written for the express purpose of repudiating Materialism. Part I can be entirely rejected consistently with accepting any or all of Part II. The "Account of the Transformation of Things" given in Part II, is simply "an orderly presentation of facts." In other words, the *Synthetic Philosophy*, strictly speaking, commences with Part II. Part I is a statement of theogeo-metaphysical beliefs.

In view of the fact that Part I of *First Principles* is, with the exception of one chapter in *The Principles of Sociology*, the only part of the *Synthetic Philosophy* in which Spencer enlarges on his religious beliefs and on the relations between religion and science: and in

view of the further fact that it is expressly stated that this part may be rejected as not forming the basis of the scientific ethics, surprise may be felt at the priority here given to a subject which would *prima facie* appear to be extraneous. The apparent inconsistency involved in thus approaching the study of Spencer's scientific politico-ethical doctrines will be amply explained when due significance is given to the fact that this is, in effect, the course which Spencer himself adopted. That Spencer should have deemed it necessary to preface his System by devoting the first part of all (a part containing ninety pages or thereabouts) to the subject of religion, and to setting forth an elaborate repudiation of Materialism, is, assuredly, in itself an all-sufficient warrant for prefacing an attempt to present the essential parts of his politico-ethical doctrines by a brief reference to the religious element in them. Although no better precedent is required, other good reasons for adopting this order will become manifest.

The creation by Spencer of a scientific system of ethics has been termed "The Secularization of Morals." It will be seen from a quotation presently given that Spencer uses the word "secularization"

in the preface to *The Data of Ethics*. And hence it might be assumed—and not unnaturally—that no higher authority is claimed for the doctrines contained in *The Principles of Ethics* than a purely human authority—such an authority, for instance, as that possessed by civil laws in general as the result of their being prescribed by the supreme power in a state. Such an assumption would, however, be the reverse of the fact.

Unless the sense in which the word “secularization” is used be ascertained, it is liable to be misleading—and, indeed, even to convey a fundamentally erroneous impression. It therefore appears desirable to show as precisely as possible what meaning Spencer attached to the word. In order to do so it will now be well to give the passage to which reference has been made :—

“ I am the more anxious to indicate or outline, if I cannot complete, this final work, because the establishment of rules of right conduct on a scientific basis is a pressing need. Now that moral injunctions are losing the authority given by their supposed sacred origin, the secularization of morals is becoming imperative.”

There is nothing in this paragraph to prove that the word “secularization” is not employed in an

irreligious or materialistic sense, but a subsequent paragraph in the preface negatives this interpretation:—

“ Much adverse comment will, I doubt not, be passed on the theory of right conduct which the following pages shadow forth. Critics of a certain class, far from rejoicing that ethical principles otherwise derived by them coincide with ethical principles scientifically derived, are offended by the coincidence. Instead of recognizing essential likeness, they enlarge on superficial difference.”

What are the things in respect of which there is only “superficial” difference? They are a “sacred” origin and a “secular” origin: but, as a materialistic interpretation of things is expressly excluded, and as a religious element is included, what is the meaning of “secularization”? It appears to be evident that by “secularization” Spencer means the placing upon a basis independent of *super-natural* theology. For, although revelation in the *super-natural* sense forms no part of Spencer’s ethics, yet revelation in a transfigured sense is a fundamental doctrine with Spencer. So far from Spencer being the materialist he has been, and still is proclaimed to be, his ethical doctrines will be found to have a religious element in their foundation. The need for expatiating on this all-important

aspect of the matter will only be fully appreciated by those who know the extent to which Spenceer has been misrepresented by theological and other critics.

A fact of recent date may perhaps not inappropriately be mentioned.

At the last General Election a candidate made reference at one of his mass meetings to his indebtedness to Spenceer for demonstrating to him the fallacies of Atheism. Thereupon a political opponent published a letter in which he ridiculed the distinction drawn by the candidate between Atheism and the Agnosticism of Spenceer—and he alleged that much of Spenceer's teaching was materialistic in its aim. The present writer upheld the distinction drawn by the candidate, and drew attention to a letter from Spenceer to Mrs. Sidney Webb. It would be well, it was suggested, for those who imputed Atheism and Materialism to Spenceer to explain the origin and meaning of this letter:—

“If you should some day get hold of a book published by a clergyman (the Rev. W. D. Ground), *An Examination of the Structural Principles of Mr. Herbert Spenceer's Philosophy*, you will be astonished to find it suggested that I am possibly ‘called’ to reconstruct the Church of Christ.”

Whilst this is not the place to proceed with an inquiry into the precise nature of Spencer's religious views, it is material to note that not only was he throughout his life imbued with deep religious sentiments, but that there is a religious part-basis to his ethical principles. In the *Autobiography* he refers to the change which took place in his religious views. It must suffice to note a few cardinal facts. Brought up in the atmosphere of strict orthodoxy, in a home in which domestic worship took place after public worship, Spencer was but slowly divorced (partly by the influence of his original thought and scientific study, and partly by an ever-growing perception of universal natural causation) from literal allegiance to the current creed. Even when the change was complete the process of deanthropomorphization had only swept away crude forms. The *substance* of the current creed was left behind—the Ultimate Reality. The Unknowable Power, to Spencer, remained the Omnipresent All-Being.

A passage in the Essay "Prison Ethics" may be cited as an instance in which superhuman authority is expressly claimed for an ethical principle. In reference to taxation for the support of convicts Spencer says:—

"It matters not that such abstraction is made according to law. We are here considering the dictum of *that authority which is above the law*, and which the law ought to enforce. And this dictum we find to be, that each individual shall take the evils and benefits of his own conduct."

The italics in which the words "that authority which is above the law" appear are not Spencer's.

In Part I of *First Principles* Spencer says in reference to the "hesitating inquirer" :—

"He, like every other man, may properly consider himself as one of the myriad agencies through whom works the Unknown Cause; and when the Unknown Cause produces in him a certain belief, he is thereby authorized to profess and act out that belief."

A paragraph directly in point occurs in the chapter of *The Principles of Ethics* entitled "Criticisms and Explanations" :—

"If for the Divine will, supposed to be supernaturally revealed, we substitute the naturally revealed end towards which the Power manifested throughout Evolution works, then, since Evolution has been, and still is, working towards the highest life, it follows that conforming to those principles by which the highest life is achieved is furthering that end."

Two brief quotations from the *Autobiography* must suffice—the one occurring in the first chapter and the other in the last. In the first chapter, in referring

to disregard of authority (political, religious, or social) as an ancestral trait, Spencer says :—

“ Along with this there goes, in a transfigured form, a placing of principles having superhuman origins above rules having human origins ; for throughout all writings of mine relating to the affairs of men, it is contended that ethical injunctions stand above legal injunctions.”

In the last chapter of the *Autobiography* :—

“ And when we observe, too, how in modern preaching theological dogmas are dropping into the background and ethical doctrines coming into the foreground, it seems that in the course of time we shall reach a stage in which, recognizing the mystery of things as insoluble, religious organizations will be devoted to ethical culture.”

The importance of the religious sentiment as an aid to guidance is enlarged upon in the chapter of *The Study of Sociology* entitled “ The Theological Bias.” Spencer declares that the anti-theological bias which discards the entire system of which superstitious beliefs form part is a hindrance :—

“ The mind affected by its ignoring the truth for which religions stand, under-values religious institutions in the past, thinks they are needless at present, and expects they will have no representatives in the future.”

As *The Principles of Ethics* forms parts of a strictly scientific system of knowledge, it would not be

expected that a religious element would be conspicuous ; and it is not. This being so, preparation for the due appreciation of the significance of one specific utterance to be mentioned in a subsequent chapter appears to be the more necessary—especially so as the option to reject Part I of *First Principles* seems by implication to negative the idea that a religious element enters into Spencer's fundamental ethical principles at all.

CHAPTER III.

ABSOLUTE ETHICS.

THE politico-ethical principles set forth in *The Principles of Ethics* are termed by Spencer “Absolute” Ethics. Absolute Ethics is stated to be “an ideal code of conduct formulating the behaviour of the completely adapted man in a completely evolved Society.” In other words the subject-matter of Absolute Ethics is *perfect* conduct, individual and social—*perfect* conduct on the part of the man; *perfect* conduct between man and man; and *perfect* conduct between the aggregate of men (the State) and each man. In view of the fact that a chapter of *The Principles of Ethics* (Chapter XV, entitled “Absolute and Relative Ethics”) is devoted to making plain the distinction between Absolute Ethics and Relative Ethics, and to demonstrating the need for an ideal code, and the impossibility of scientifically formulating other than ideally perfect

principles, it might be thought that emphasis of the importance of a clear conception of this matter was uncalled for. A fact will, however, justify a caution, and serve, at the same time, as an introduction to the *Essay*, "Absolute Political Ethics," in which the subject is also dealt with (although from a somewhat special standpoint).

It is well known that a very close friendship existed between Spencer and Professor Huxley. Initiated in 1852 it continued until the death of Professor Huxley in 1895, and, with one exception, nothing occurred to mar cordial relations. In 1889 a lamentable episode led to a breach which was not repaired until 1893. This estrangement resulted from the failure on the part of Professor Huxley to pay due attention to the fact that Spencer spoke of "absolute political ethics, or that which ought to be, as distinguished from relative political ethics, or that which is at present the nearest practicable approach to it." Even Professor Huxley did not adequately distinguish between practical proposals and ideal principles, and, treating the latter as the former, a controversy ensued. Spencer's last words were :—

"I cannot allow the late controversy to pass without dis-

claiming "the absurd ideas ascribed to me. . . . The suggestion that an ideal must be kept in view, so that our movements may be towards it and not away from it, has been regarded as a proposal forthwith to realize the ideal."

This controversy took place in *The Times*, and ended on November 27, 1889. Regarding it as needful to do something to rectify the misapprehensions and misrepresentations therein embodied Spencer at once wrote the *Essay* "Absolute Political Ethics" (originally published in the *Nineteenth Century* for January, 1890).

Outside the subject-matter proper, it may be advantageous to dwell upon a question raised in the last paragraph of the *Essay*, from which it appears that the strain of the position (the breach with Professor Huxley was a great shock to Spencer) resulted in a somewhat remarkable oversight:—

"Should I be able to complete Part IV of *The Principles of Ethics*, treating of "Justice," of which the first chapters only are at present written, I hope to deal adequately with the relations between the ethics of the progressive condition and the ethics of that condition which is the goal of progress—a goal ever to be recognized, though it cannot be actually reached."

It appears strange that Spencer should in 1890 speak of hoping to deal adequately with the subject in question, for he had then, it has been mentioned,

already systematically dealt with it in Chapter XV of Part I of *The Principles of Ethics*, which it will be remembered was published in 1879. From a letter to Professor Tyndall written at the time it would appear that the explanation of the mistake was the effect on him of what Professor Huxley had said. In any event Part IV was completed—it was in a sense more than completed—for in addition to the completion of the theory as to the dictum of absolute ethics, chapters were added beyond the strict limits of the work to show that unjust State actions were impolitic in practice as well as unjust in theory. The relations between Absolute and Relative Ethics, however, were not further discussed. Chapter XV, quite apart from the *Essay* “Absolute Political Ethics,” rendered further elaboration unnecessary, as Spencer doubtless subsequently realized.

Why a scientific code of ethics must be a code of “absolute” ethics is exhaustively discussed and demonstrated by Spencer both in *Social Statics*, in the before-mentioned chapter of *The Principles of Ethics*, and in the *Essay* “Absolute Political Ethics.” The object here in view is not to go into this question, nor to adduce the arguments which support Spencer’s conclusions, but simply to

direct attention to the stumblingblock. The fact, already mentioned, that no direct reference is made to the relations of Absolute and Relative ethics in that part of *The Principles of Ethics* which relates to political questions creates a considerable risk of misunderstanding if that part is studied separately. Perceiving the length to which Spencer carries the doctrine of the restriction of the functions of the State, the reader, not attaching due significance to the word "absolute," might exclaim: "But this is all impracticable. Surely there are some things the State should do besides act as protector." To such comment, natural if not inevitable if the distinction here emphasized is not fully appreciated, the rejoinder would be: "Stay: you are treating Spencer's ethical principles as if they were practical proposals. They are not. They are an *ideal* code."

In the *Essay* "Absolute Political Ethics," acting as his own cross-examiner, Spencer puts the question: "Your absolute political ethics is therefore an ideal beyond the reach of the real?" and the reply is:—

"This is true. Nevertheless, much as it seems to do so, it does not follow that there is no use for absolute political ethics. The contrary may clearly enough be shown."

By way of argument Spencer then proceeds to show

that abstract mechanics or absolute mechanics is indispensable for the guidance of real mechanics, and he continues:—

“ So it is here, Relative political ethics, or that which deals with right and wrong in public affairs as partially determined by changing circumstances, cannot progress without taking into account right and wrong considered apart from changing circumstances—cannot do without absolute political ethics ; the propositions of which, deduced from the conditions under which life is carried on in an associated state, take no account of the circumstances of any particular associated state.”

In addition to citing the analogy afforded by mechanics Spencer further illustrates the matter in Chapter XV by reference to the like analogy in the cases of the sciences of geometry, pathology and astronomy. “ Here, too, simple truths holding under ideal conditions have to be ascertained before the real truths existing under complex conditions can be ascertained.”

“ When formulating normal conduct in an ideal society, we have reached the science of absolute ethics, we have simultaneously reached a science which, when used to interpret the phenomena of real societies in their transitional states, full of the miseries due to non-adaptation (which we may call pathological states) enables us to form approximately true conclusions respecting the abnormalities, and the courses which tend most in the direction of the normal.”

“ The very conception of disordered action implies a pre-

conception of well-ordered action . . . and obviously the diagnosis of diseases can become scientific, only as fast as there arises scientific knowledge of organic actions that are undiseased.”

To treat social diseases scientifically it is necessary first to have a science of social physiology—a science which defines the functions of social organs in their normal states. It is impossible to say scientifically whether an extension of the functions of a social organ, say governing bodies, in this or that direction is right or wrong unless it is first scientifically ascertained what are the normal functions of such an organ.

In noting that Spencer's ethical principles are “Absolute” the reference made to them has, thus far, been of a general character. It will be desirable to be more specific; but first it will be well to take the briefest possible survey of the scope of ethics. As to this Spencer says:—

“Ethics has a wider field than is commonly assigned to it. Beyond the conduct commonly approved or reprobated as right or wrong, it includes all conduct which furthers or hinders, in either direct or indirect ways, the welfare of self or others.”

Ethics consists of two great divisions, personal and social. Although the latter is the one of concern here it may be mentioned that the former, the ethics of individual life, is restricted to

such conduct as tends to self-preservation. "Self-preservation is the first requisite since without self-preservation the discharge of all other obligations, altruistic as well as egoistic, becomes impossible." Activity, primarily the activity directed to self-sustentation and the sustentation of the family, rest, nutrition, stimulation, culture, amusement, marriage and parenthood are the subject-matter of the ethics of individual life as exhaustively dealt with by Spencer in Part III of *The Principles of Ethics*.

The ethics of social life deals exclusively with conduct which affects others, and treats of the right regulation of it. Conduct which affects others is divided by Spencer into two main divisions—Justice and Beneficence. Justice includes the definition of the equitable relations between man and man and also between each man and the aggregate of men—the State, "*The most important division of ethics and the division which admits of the greatest definiteness.*" Discussion is therefore, for the purposes of this work, limited to Part IV of *The Principles of Ethics*.—"The Ethics of Social Life: Justice." In this division the rights of the man and the duties of the State are set forth as principles of absolute ethics. "*The formula of Justice*"—the liberty of each limited

only by the like liberties of all—and rights, which are corollaries from this law of equal freedom, viz. : the right to physical integrity, free motion, the uses of natural media, the right of property, of gift and bequest, of free exchange and contract, the right to free industry, of free speech and publication, are enunciated as “the dictum of absolute ethics.” The rights of the man as thus deduced from the law of equal freedom are rights which the individual ought to enjoy to the fullest in a completely evolved or perfect society. Similarly with the duties of the State. The duties mentioned and the limits stated are duties and limits which should exist in a perfect society. These duties and limits are “the dictum of absolute ethics.”

A passage from the *Essay* “Prison Ethics,” although written twenty years before the subject was systematically dealt with in *The Principles of Ethics*, may be fitly quoted in concluding this chapter:—

“The two antagonistic theories of morals, like many other antagonistic theories, are both right and both wrong. The *a priori* school has its truth ; the *a posteriori* school has its truth ; and for the proper guidance of conduct there must be due recognition of both. On the one hand, it is asserted that there is an absolute standard of rectitude ; and, respecting certain classes of actions, it is rightly so asserted. From the fundamental laws

of life and the conditions of social existence, are deducible certain imperative limitations to individual action—limitations which are essential to a perfect life, individual and social, or, in other words, essential to the greatest happiness. And these limitations, following inevitably as they do, from undeniable first principles, deep as the nature of life itself, constitute what we may distinguish as absolute morality. On the other hand, it is contended, and in a sense rightly contended, that with men as they are and society as it is, the dictates of absolute morality are impracticable. . . . Progressing civilization . . . requires a perpetual readjustment of the compromise between the ideal and the practicable in social arrangements: to which end both elements of the compromise must be kept in view. . . . Granted that we are chiefly interested in ascertaining what is *relatively right*; it still follows that we must first consider what is *absolutely right*; since the one conception presupposes the other, that is to say, though we must ever aim to do what is best for the present time, yet we must ever bear in mind what is abstractedly best; so that the changes we make may be *towards* it, and not *away* from it. Unattainable as pure rectitude is, and will long continue to be, we must keep an eye on the compass which tells us whereabout it lies: or we shall otherwise wander in the opposite direction . . . it is immensely important while considering the relatively right, we should keep the absolutely right constantly in view. . . . We must have some fixed standard, some invariable measure, some constant clue; otherwise we shall inevitably be misled by the suggestions of immediate policy, and wander away from the right rather than advance towards it."

CHAPTER IV.

THE PROPER SPHERE OF GOVERNMENT.

HAVING seen that the ten volumes of *A System of Synthetic Philosophy* are in effect one work having for its aim to find a right rule of life, individual and social, and to place ethics upon a scientific basis, and having noted the importance of bearing in mind in connexion with the ethical principles set forth in the last two volumes of the work (to which the first eight volumes are subsidiary) the distinction between “absolute” ethics and “relative” ethics, the way has now been prepared in a brief and rough way for the discussion of the ethical question to which Spencer throughout attached the most importance. In the first chapter, the central idea was foreshadowed; but it now becomes appropriate to show that Spencer regarded the limitation of the function of governing bodies as the matter of the most vital importance. It will be

remembered that the proper sphere of Government was the first subject of all to which he addressed himself in the letters to *The Nonconformist*, which were republished as a pamphlet; and it will be remembered that *Social Statics* was the outcome of a desire to provide better foundations for the conclusions set forth in the pamphlet, "one leading purpose," it is stated in the *Autobiography*, "of *Social Statics* being that of setting forth both the inequity and the mischief" of the State-meddling policy. When it is seen that, in addition to these first two works on the subject, the proper sphere of Government was regarded by Spencer as the question of the most vital importance dealt with in *A System of Synthetic Philosophy*, it becomes evident that the matured politico-ethical doctrines finally enunciated in the second volume of *The Principles of Ethics* have a significance and authority which it would be difficult to exaggerate. It is not as if the duties of the State and the limits of State duties was a subject to which Spencer had but casually addressed himself as a necessary part of a complete system of scientific ethics. The master-mind was more or less continuously addressed to this subject from 1842 to 1902. A chronological table will demonstrate this fact, and

such a table may be useful, not only for this purpose, but in other ways also.

1842.—Letters on “The Proper Sphere of Government.”

1843.—Pamphlet, “The Proper Sphere of Government.”

1843.—An address on Disestablishment.

1844.—Political and sociological articles.

1846–1850.—*Social Statics*. First half of the writer's *Social Statics*, co-extensive (though not identical) with Part IV of *The Principles of Ethics*, “Justice” published in 1891.

1851.—“State Education Self-defeating.”

1853.—*Essay*—“Over Legislation.” Subject: The Proper Sphere of Government.

1857.—*Essay*—“Transcendental Physiology.”

1857.—*Essay*—“Representative Government.” Subject: The Proper Sphere of Government.

1858.—*Essay*—“State-Tamperings with Money and Banks.” “To show evils of meddling and the superiorities of an unrestricted system.”

1860.—*Essay*—“Parliamentary Reform.” To show that “as fast as representation is extended the sphere of Government must be curtailed.”

1864.—“Reasons for dissenting from the Philosophy of M. Comte” include “that form of Society towards which we are progressing I hold to be one in which *Government* will be reduced to the smallest amount possible, and *freedom* increased to the greatest amount possible.”

1865.—*Essay*—“The Collective Wisdom.”

1865.—*Essay*—“Political Fetishism.” “Theoretically the State is the protector of rights of subjects. Practically the State continually plays the part of aggressor.”

1871.—*Essay*—“Specialized Administration.” Subject : The Limitation of State Functions.

1873.—*The Study of Sociology*. Subject : Social Science : central idea—the desirability of an ultimate standard of legislative action.

1876-1896.—*The Principles of Sociology* (2,029 pp.). Its “culminating chapter” concerns the proper sphere of Government.

1879.—*The Data of Ethics*. (In which it is stated that the most important part of Ethics is that part which relates to the proper sphere of Government.)

1884.—Articles as under :—

1. The New Toryism.
2. The Coming Slavery.
3. The Sins of Legislators.
4. The Great Political Superstition.

These articles were republished under the title of *The Man versus the State*.

1885.—“A Rejoinder to M. d. Laveleye.” Subject : The Proper Sphere of Government.

1889.—Letters on the Land Question.

1891.—*Essay*—“From Freedom to Bondage.” Subject (in brief) : Socialism.

1891.—*The Principles of Ethics*, Part IV. Justice. Subject : The Rights of the Man ; the Duties of the State, and the Limits of State Duties.

1893.—“Evolutionary Ethics.” A letter originally published in the *Athenaeum* includes passages relating to the duties of the State.

1894.—“Parliamentary Georgities.” A letter to *The Times* refers to the “moral influenza” which is “smoothing the way for the Socialists.”

1902.—“Party Government.”

In each of the works, essays, articles and letters included in this remarkable list, the question of the proper sphere of Government is dealt with as no one could deal with it but Spencer; and, ultimately, in *The Principles of Ethics*, it is dealt with in the purely-philosophical way. In other words, in all the enumerated works the case against Socialism, or against the assumption by the State of improper functions, is stated and re-stated from various stand-points. Relatively completely developed in *Social Statics* in all but its most fundamental aspect, the case against Socialism, after being variously treated, illustrated, and elaborated in the works and essays mentioned, was reduced to its most perfect, and at the same time most abstract, form as appearing in the second volume of *The Principles of Ethics*. In this volume the theoretical arguments against Socialism are brought to a focus and condensed into the comparatively brief space of 225 pages.

A brief parenthetical digression is perhaps desirable to negative the assumption that a perusal of these 225 pages would be a satisfactory method of learning what scientific ethics has to say about Socialism. Those who have not made the acquaintance of his works are advised by Spencer to begin with some of

the *Essays* rather than with the abstract or purely philosophical work. “A long series of abstract propositions, taken without concrete illustrations, is likely to prove wearisome, and to leave but faint impressions.”

It is beyond question that Spencer regarded the demarcation of the duties of the State as the most vital problem of philosophy. The following facts suffice :—

1. He has stated, it has been seen, that his aim throughout was to find a right rule of life, individual and social.

2. He says in *The Data of Ethics* and elsewhere equally definitely that the right rule of life social, “Justice,” is the most important division of Ethics.

3. It is in Part IV of *The Principles of Ethics*, entitled “Justice,” that the limits of State duties are scientifically defined.

Confirmation is afforded by various passages in the *Autobiography* and in *Life and Letters*. In a letter to John Stuart Mill dated August 9, 1867, Spencer says :—

“To put the right construction on these reasonings of mine, you must bear in mind that to me the limitation of the functions of the State is the question of questions, in comparison with which all other political questions are trivial.”

In a letter to Professor Youmans dated June 13, 1881 :—

"I am glad to see that you take the same view as I do with respect to the supreme importance of the political theory."

On the last page of the *Autobiography*, written in 1889, the hope is expressed "that I may, in a rough if not finished way, write yet another portion of *The Principles of Ethics*—the most important portion, which I feel anxious not to leave undone."

What Spencer regarded as the most important part of the 5,728 pages of *A System of Synthetic Philosophy* is therefore demonstrated to be that contained in the 225 pages of *The Principles of Ethics*. For practical purposes, this part may be considered either as a scientific justification of Individualism, or as a scientific negation of Socialism and of Socialistic legislation.

The essence of that most important chapter of *The Principles of Sociology*, "The Industrial Type," a chapter which presents the verdict of Social Science, as distinguished from the verdict of Ethics, on the question of the proper sphere of Government, is given by Spencer in "The Filiation of Ideas." For the moment the contents of the chapter are not of so much concern as is the fact that the chapter is referred

to by Spencer in the *Autobiography* as “the culminating chapter.” Spencer thus alludes to this chapter in the *Autobiography* :—

“ Though this doctrine, being a part of the general Theory of Evolution, might not unnaturally be regarded as having an *a priori* character, yet, since it is throughout ostensibly based on, and justified by, multitudinous facts, it has an inductive warrant which might have commended it even to those whose reasonings are limited to inferences from blue books and newspaper statistics. But conclusions to which men are averse cannot be made acceptable to them by facts any more than by arguments ; and Englishmen are averse to conclusions of wide generality. Not only out of Parliament, among the ignorant, but in Parliament, among those supposed to be enlightened, such a question as whether there are or are not any limits to the functions of Government is pooh-poohed as an abstract question not worth discussing. ‘ Practical ’ wisdom is supposed to lie in the assumption that an Act of Parliament can do anything, and that it is foolish to waste time considering whether there are any principles of social life which justify one kind of legislation and negative another. Perhaps it will some day be seen—possibly by some it is seen now—that the question of the proper sphere of Government is the most ‘ practical ’ of all questions ; and that the fostering of false ideas concerning the things to be asked for and expected from the State, is fast leading to a social revolution which threatens to end in rebarbarization.”

It may be truly said that on the subject of what the State ought to do, and what it ought not to do, Spencer was *par excellence* a specialist. He was a specialist in a very special sense. Not only did he

make this subject a study from first to last, but he made a special study of the other sciences affecting the science of conduct, as created by him. He was "versed in physics"; an expert biologist; an expert psychologist; an expert sociologist. Generalizations from each of these sciences underlie his Ethics, and are woven into them. An expert in all the sciences concerned with the laws of life, and mind, and conduct, his intellectual equipment was as unique as his intellect was marvellous.

CHAPTER. V.

THE SCIENTIFIC BASIS.

It has been seen to be beyond question that Spencer regarded Part IV of *The Principles of Ethics* ("Justice") as the most important Part of the *Synthetic Philosophy*; and that the proper sphere of government, or the limitation of the functions of the State, was to Spencer the question of questions—the most important question discussed in "Justice." The distinction between Absolute and Relative Ethics has been emphasized and attention has been directed to this stumblingblock. The ground has been roughly cleared for a critical examination of Spencer's scientific political theory and its biological basis. One other preliminary now calls for attention.

Before proceeding to scrutinize Spenceer's politico-ethical doctrines as enunciated in "Justice" it is evident that the subsidiary parts of the *Synthetic Philosophy*—parts which underlie the political doc-

trines and form their basis—should be mentioned. The subsidiary Parts of the *Synthetic Philosophy*—*First Principles*, the *Biology*, the *Psychology* and the *Sociology* are of course each of them massive works—the *Biology* and the *Psychology* in certain respects abstruse scientific works. Limited as these works are in a great measure to the statement of general truths in abstract terms, it would be idle to assert that an adequate grasp of them is to be obtained by a cursory perusal. An extensive preparation in zoology and botany is essential, in order to follow Spencer's argument step by step. Nothing beyond an indication of the best means of approaching these several great works will be attempted here—the aim of this work being to give a rough outline of what the *Synthetic Philosophy* is all about, accompanied by a relatively complete introduction to one part of it only, viz.: to that part which Spencer regarded as the most important of all.

Whilst the contents of the first four works of the *Synthetic Philosophy* will thus for present purposes not be discussed in detail it must be clearly understood that they are nevertheless essential as a scientific basis to the part which is about to be discussed

in detail. It is the culminating part of the superstructure which forms the subject of the chapters which follow,—not the massive foundations upon which it rests. The great subsidiary works each of them obviously call for separate consideration.

If it is desired to sift the questions which underlie Spencer's ethics to the very bottom and examine every detail of the basis—every fact upon which Spencer's ethical doctrines rest—then every word of the first four works of the *Synthetic Philosophy* (*First Principles*, the *Principles of Biology*, *The Principles of Psychology* and *The Principles of Sociology*), necessarily requires to be carefully considered. But in view of the limitations of this work it must suffice, here, to refer the reader who desires to go to the root of the fundamental principles to the full explanations which Spencer has himself given of the reasons why Biology, Psychology, and Sociology necessarily underlie a rational or scientific system of Ethics. Explanations will be found in chapter XIX of "Justice" (the Part here being considered) and in chapters of Part I of *The Principles of Ethics* ("The Data of Ethics")—chapters entitled respectively "Ways of Judging Conduct," "The Biological View," "The Psychological View," and "The Socio-

logical View." Invaluable guidance will also be found in that splendid ancillary work *The Study of Sociology* —and particularly in the chapters entitled "Preparation in Biology" and "Preparation in Psychology."

It is deserving of special note that two eminent biologists, Professor Huxley and Sir Joseph Hooker, (intimate friends of Spencer's) read the proofs of *The Principles of Biology* for the purpose of checking statements of fact.

Spenceer gives a brief exposition of *The Principles of Psychology* in his *Autobiography*—an outline occupying about four pages in the nature of a sketch plan.

To *The Principles of Sociology* Spencer has in effect written an "Introduction," viz. *The Study of Sociology*. Concerning the writing of this work Spencer says in the *Autobiography*.—

"A further reason was that but few persons had any conception of a Social Science; and that the diffusion of such a conception would usefully precede the publication of the *Principles*. The possibility of Sociology was not only not conceived by historians, but when alleged was denied. Occupied as they had all along been in narrating the *events* in the lives of societies, they had paid little or no attention to the evolution of their organizations. If a biographer, seeing that the incidents of his hero's life did not admit of scientific prevision, therefore said that there is no science of Man, ignoring all the phenomena of

bodily formation and function ; he would parallel the ordinary historian who, thinking of little else but the doings of kings, court-intrigues, international quarrels, victories and defeats, concerning all which no definite forecasts are possible, asserts that there is no social science : overlooking the mutually-dependent structures which have been quietly unfolding while the transactions he writes about have been taking place. The mere fact that during all these centuries he, in common with his readers, has been in nearly every case unconscious of that increasing division of labour which characterizes social evolution everywhere, shows how much need there was to explain the scope and nature of social science."

Needless to say no better general guide to Social Science could be desired than Spencer's *Study of Sociology*. In one important respect, however, *The Study of Sociology* entirely fails to do justice to the unique authority of Spencer's doctrines as appearing in *The Principles of Sociology*. When *The Study of Sociology* was written Spencer had not completed the vast accumulations of sociological facts which are tabulated in the *Descriptive Sociology* and as a consequence no reference is made to this all-important work.

Spencer explains the nature of the *Descriptive Sociology* in a provisional Preface to that work—and an explanatory extract of this Preface is also given with the list of his works which, with their contents, is given at the end of the several volumes of

the *Synthetic Philosophy*. The vast accumulations of data compiled in the *Descriptive Sociology* are intended to supply the student of Social Science with materials standing towards his conclusions in a relation like that which accounts of the structures and functions of different types of animals stand to the conclusions of the biologist. "Before there can be reached in Sociology, generalizations having a certainty making them worthy to be called scientific, there must be definite accounts of the institutions and actions of societies of various types, and in various stages of evolution, so arranged as to furnish the means of readily ascertaining what social phenomena are habitually associated."

To fully understand the scheme of the *Descriptive Sociology*—a monumental work—it is necessary to start with a recognition of the fact that societies of men (nations) are organisms. For this purpose a reference to the *Essay* entitled "The Social Organism" (an *Essay* which subsequently fell into its systematic position as a chapter of Vol. I. of *The Principles of Sociology*) will suffice to enable the student to understand the scientific tables in the *Descriptive Sociology*—tables in which are tabulated morphological and physiological phenomena of all orders.

The accumulations of facts made as a preliminary to setting forth the principles of sociology as tabulated in the first eight parts of the *Descriptive Sociology* took fourteen years to prepare, and involved a loss to Spencer of £4,000—a loss incurred solely in providing Sociology with a basis of facts for scientific generalization. The facts as appearing in the *Descriptive Sociology* are, to use Spencer's metaphor, the bricks with which *The Principles of Sociology* was built. The *Sociology* is, in other words, a natural history of societies; and the *Descriptive Sociology* is the first part of the natural history—the part which gives a systematic description of the phenomena displayed by upwards of eighty civilized and semi-civilized peoples. The science of Society will for all time be indebted to Spencer for thus placing its foundations upon a rational and scientific basis—a basis of fact.

The unique authority of Spenceer's ethical doctrines becomes evident only when the fact is fully appreciated that they rest on (1) *First Principles*—which contains a statement of the highest generalizations of Science—e.g. Evolution—generalizations or principles which hold of *all* classes of phenomena; (2) on *The Principles of Biology*—the *Biology* containing

a statement of the leading generalization of which naturalists, physiologists, and comparative anatomists have established—principles holding of all living things, including Man—the general truths of Biology as illustrative of and as interpreted by the laws of Evolution ; (3) on *The Principles of Psychology*, which includes statements of the generalizations respecting mental phenomena which have been established ; and deals with the question of the ultimate criterion of truth : and contains a number of derivative principles which form a necessary scientific introduction to Sociology : and (4) on *The Principles of Sociology* with its scientific foundation of facts—the *Descriptive Sociology*. In a word no link is missing. Every principle affecting the verdict of the science of Conduct (Ethics), whether directly or remotely, is set forth in one or other of the parts of the *Synthetic Philosophy*. Any principle which may appear at first sight to be taken for granted without proof in the *Ethics* will be found demonstrated in one or other of the subsidiary parts of the system.

Evolution and the other highest generalizations set forth in *First Principles* hold, as has been stated, of *all* classes of phenomena. Holding of *all* classes of phenomena, Evolution holds of all the various

phenomena presented by all living things ; and hence the Law of Evolution is the master-key to the correct interpretation of biological, psychological, and socio-logical phenomena. Spencer, beginning at the very beginning of animal life, has set forth ethical principles by virtue of which animal life has been evolved from the lowest to the highest—principles which are the deepest roots of ethics—principles which Spencer shows possess a religious warrant.

In a word the law of Evolution is set forth in *First Principles*. From *First Principles* the law of Evolution is, so to speak, carried into Biology as a key to the correct interpretation of all the various phenomena of Life at large. In the Psychology the phenomena of mind and intelligence are similarly interpreted by the law of Evolution.

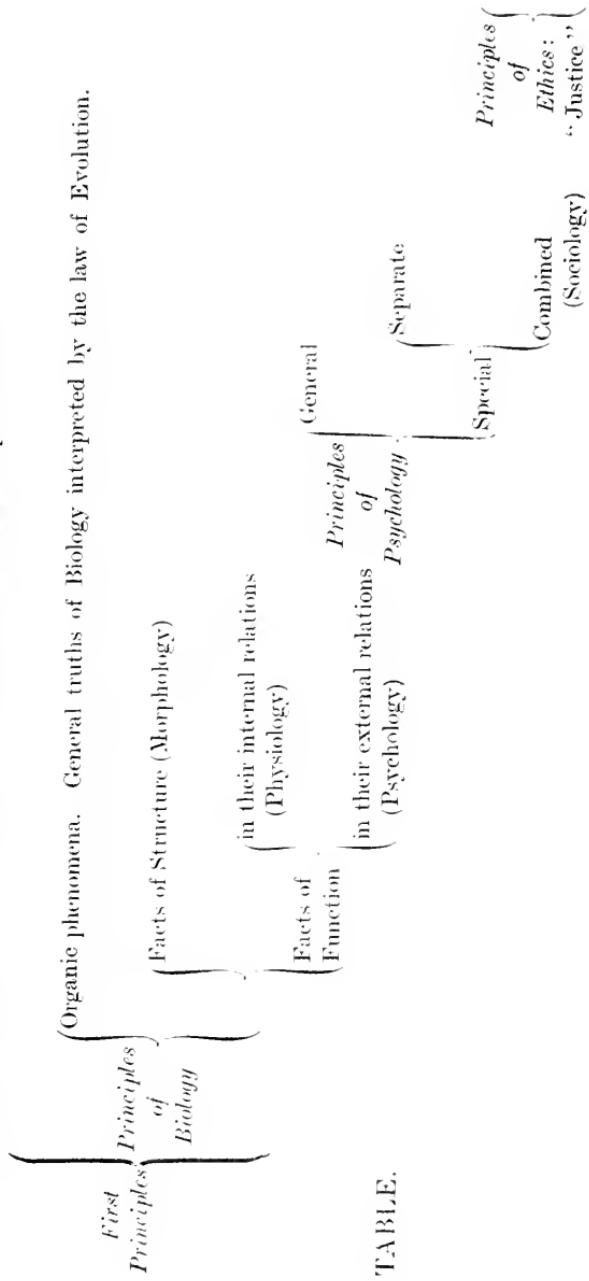
Evolution is next employed as the primary key to the explanation of the facts of various orders displayed by societies of men, and of the structures and functions of such societies or organisms : and lastly, Evolution supplies Ethics with the fundamental principles of progress to higher life.

Philosophy, then, for the purpose of the *Synthetic Philosophy*, is, as explained in *First Principles*, organized scientific knowledge. It is nothing but

organized Scientific Knowledge—"completely unified knowledge."

A table will perhaps serve to illustrate what has been said; and, at the same time, to indicate the structural scheme and synthetic character of Spencer's system.

Universal Laws, including Evolution, which hold of *all* classes of phenomena.



CHAPTER VI.

JUSTICE.

THAT it is the duty of the State to defend the nation against external enemies few would dispute; and not many would demur to the proposition that it is the duty of the State to administer justice. The assent of the great majority to the proposition that it is the duty of the State to administer justice, would, however, be of a more or less nominal character—assent would be indicated with but a vague, and in most cases a very vague, notion of what justice is. Ideas of legal proceedings and of legal institutions associated with the administration of the laws would, doubtless, be the kind of ideas which would arise in most people's minds if arrested by the mention of the word justice; and, if questioned, the reply in many cases would be that the administration of the laws and the maintenance of legal rights *is* the administration of justice. On the other hand the unsatis-

factory nature of this definition would, in a measure, be appreciated by some, who would point out that the statute book contains laws which are not just, as well as laws which are just ; and it would be argued that an Act of Parliament and justice may be very different things. Others, again, would contend that the scope of justice was much wider than the maintenance of legal rights, and that various kinds of beneficence should be included in the definition of justice. Obviously a vital question is here reached. The question is, what *is* justice ? If it is conceded that the State should administer justice, a definition of justice, or some basis for justice, is evidently essential, not only to a rational code of laws, but also essential to the satisfactory demarcation of an all-important duty of the State. It is obvious that a formula of justice—a rule of social life or law which is a basis of justice—is required as a condition precedent to the perfect administration of justice. In other words, the rights of the Man must be definitely known and set forth before the duties of the State can be definitely ascertained.

In Part IV of *The Principles of Ethics* Spencer deals exhaustively with the question of the nature of pure justice ; and he sets forth the formula of justice.

As the argument goes to the root of the basis of rights and of the duties of the State the short outline of it which follows may be helpful as a preliminary to a critical examination of Spencer's principles. The outline will be limited to Spencer's theory. The argument from the standpoint of policy will be dealt with separately.

The Law of Evolution is the key to the essential principle of justice. Evolution of the highest from the lowest animal life has taken place by virtue of certain principles. Human justice, as formulated by Spencer, is a further development of these principles. "These principles are, according to the current belief, expressions of the Divine will, or else, according to the Agnostic belief, indicate the mode in which works the Unknowable Power throughout the Universe."

The preservation and prosperity of a nation or species—an aggregate of individuals whose individual welfare is the only end to be subserved—depends on the survival of the fittest citizens. The survival of the fittest is achieved by the individuals best adapted to the conditions of their existence prospering most and by the individuals least adapted to the conditions of their existence prospering least.

The implication is that each individual ought to receive the benefits and evils of his own nature and consequent conduct, neither being prevented from having whatever good his actions normally bring him, nor allowed to shoulder off on to other persons whatever ill is brought to him by his actions.

“To what extent such ill naturally following from his actions may be voluntarily borne by other persons, it does not concern us now to inquire. The qualifying effects of pity, mercy, and generosity will be considered hereafter. Here we are concerned only with pure justice.”

If each is to receive and suffer the good and evil results of his actions, he must be allowed to act; he must have full liberty to act; since without full liberty to act, the relation between conduct and consequence cannot be maintained. This full liberty to act must be limited only in so far as it is necessarily restricted by being possessed by all.

“Hence that which we have to express in a precise way is the liberty of each limited only by the like liberties of all. This we do by saying: ‘Every man is free to do that which he wills, provided he infringes not the equal freedom of any other man.’”

For the preservation and prosperity of the society there must be survival of the fittest citizens. Sur-

vival of the fittest citizens can best be secured by each taking the consequences of his nature and conduct. To do so each must have full liberty to act—subject only to the like liberties of all. As this fullest possible liberty is a necessary condition of the survival of the fittest, and as the survival of the fittest is a necessary condition to the preservation and prosperity of a society or nation, principles which achieve these conditions must be ethically approved.

The full liberty to act, which is necessary to ensure survival of the fittest, is the basis of rights.

“Men’s activities are many in their kinds and the consequent social relations are complex. Hence that the general formula of justice may serve for guidance deductions must be drawn severally applicable to special classes of cases. The statement that the liberty of each is bounded only by the like liberties of all, remains a dead letter until it is shown what are the restraints which arise under various sets of circumstances he is exposed to.

“Whoever admits that each man must have a certain restricted freedom, asserts that it is *right* he should have this restricted freedom. If it be shown to follow, now in this case and now in that, that he is free to act up to a certain limit but not beyond it,

then the implied admission is that it is *right* he should have the particular freedom so defined. And hence the several particular freedoms deducible may be fitly called, as they commonly are called, his *rights*."

The rights which are thus deducible from the law of equal freedom are: the right to physical integrity, the right to free motion and locomotion, the rights to the uses of natural *media*, the right of property, the right of incorporeal property, the rights of gift and bequest, the right of free exchange and free contract, the right of free industry, the rights of free belief and worship, the rights of free speech and publication. It will be important to consider these rights more particularly presently. Here it must suffice to name them as illustrating, as they will without explanation, what is meant by that full liberty to act which is necessary in order that each should take the benefits and evils of his nature and consequent conduct, and thus secure the survival of the fittest.

The preservation of a species, society, or nation is thus dependent on the principle of benefits being directly proportioned to worth—each taking the full benefit of his nature and conduct and suffering the evil of his nature and conduct—justice.

“ It is clear that maintenance of those conditions under which each one's efforts bring their reward is, in the case of a society, liable to be traversed by external foes and by internal foes. The implication is that for the prosperity of a society or nation, these conditions must be maintained by a due exercise of force ; and for the exercise of such force the corporate action of the society is demanded—imperatively in the one case ” (that is, in the case of external foes), “ and with something approaching to imperativeness in the other ” (that is, in the case of internal foes)—force to which all (excluding criminals) have good reasons to assent.

This outline of the doctrines contained in Part IV of *The Principles of Ethics* is, it is repeated, given merely for the sake of indicating the general nature of Spencer's theoretical argument. A summary of the whole argument, although necessarily incomplete, may facilitate the consideration of the various parts of it in detail.

CHAPTER VII.

JUSTICE (*continued*).

In the preceding chapter an attempt was made to give an outline of Spencer's politico-ethical theory. It is proposed in this and succeeding chapters to discuss and amplify each important proposition or principle mentioned in the outline. In doing this Spencer's own words will be given as far as space permits ; since it would be rash to contend that they can either be abbreviated or in any way improved upon. The political theory, it will be remembered, was regarded by Spenceer as of supreme importance ; and since the whole of it, as concerning the proper sphere of government, was condensed by Spenceer into 225 pages, it is obvious that any endeavour to epitomize or to briefly explain the contents of any of these pages must be fraught with considerable risk of injustice to the argument.

It was stated in the preceding chapter that the

Law of Evolution is the key to the essential principle of justice : and that evolution of the highest from the lowest animal life has taken place by virtue of certain principles ; and that human justice, as formulated by Spencer, is a further development of these principles.

Passing over for the moment the first two chapters of Part IV of *The Principles of Ethics* entitled “Animal Ethics” and “Sub-Human Justice” (chapters in which Spencer sets forth the cardinal laws by virtue of which animal evolution has taken place), and turning to Chapter III entitled “Human Justice,” it will be found that Spencer commences as follows :

“The contents of the last chapter foreshadow the contents of this. As, from the evolution point of view, human life must be regarded as a further development of sub-human life, it follows that from this same point of view, human justice must be a further development of sub-human justice. For convenience sake the two are here separately treated, but they are essentially of the same nature, and form parts of a continuous whole.

Of man, as of all inferior creatures, the law by conformity to which the species is preserved, is that among adults the individuals best adapted to the conditions of their existence shall prosper most, and that individuals least adapted to the conditions of their existence shall prosper least—a law which, if uninterfered with, entails survival of the fittest, and spread of the most adapted varieties. And as before so here, we see that, ethically considered, this law

implies that each individual ought to receive the benefits and the evils of his own nature and consequent conduct: neither being prevented from having whatever good his actions normally bring him, nor allowed to shoulder off on to other persons whatever ill is brought to him by his actions.

To what extent such ill, naturally following from his actions may be voluntarily borne by other persons, it does not concern us now to inquire. The qualifying effects of pity, mercy, and generosity will be considered hereafter in the parts dealing with 'Negative Beneficence' and 'Positive Beneficence.' Here we are concerned only with pure justice."

As human life must be regarded as a further development of sub-human life, and as human justice must therefore be a further development of sub-human justice, it becomes necessary to clearly understand the nature of sub-human justice. To get to the root of the matter the conduct not only of men but of all animals has to be considered. What conduct or classes of conduct have caused animal evolution? What actions are responsible for the progressive development of the animal kingdom? What results or consequences can be termed "just" in respect of animal conduct? Why have animals from the beginning acted as they have and why has evolution taken place.

Turning to Chapter I of Part IV of *The Principles of Ethics* it will be found that, after a general

reference to the scope of Ethics and an explanation of the term "animal-ethics," Spencer shows that there are two laws to which a species must conform if it is to be preserved—"the two cardinal and opposed principles of animal ethics." These laws are:—

1. During immaturity benefits received must be inversely proportionate to capacities possessed.

Within the family group most must be given where least is deserved, if desert is measured by worth.

2. Contrariwise, after maturity is reached benefit must vary directly as worth : worth being measured by fitness to the conditions of existence. The ill fitted must suffer the evils of unfitness, and the well fitted profit by their fitness.

After stating these laws Spencer continues:—

"Limiting the proposition to the higher types. . . . I say, it is clear that if, among the young, benefit were proportioned to efficiency, the species would disappear forthwith ; and that if, among adults, benefit were proportioned to inefficiency, the species would disappear by decay in a few generations."

At this point Spencer refers the reader to Section 322 of *The Principles of Sociology*—a section which occurs in the chapter of that work entitled "The Family." Spencer does not encumber his works with

cross references, and it is unusual for him to specifically refer to other passages and practically embody them in this way. It is evident, therefore, that he attached special importance to a reference to the section in question at this point in *The Ethics*; and, indeed, the importance of this section of *The Sociology* is so obvious that it will be desirable to give part of it at length:—

“ And here we come in sight of a truth on which politicians and philanthropists would do well to ponder. The salvation of every society, as of every species, depends on the maintenance of an absolute opposition between the *régime* of the family and the *régime* of the State. To survive, every species of creature must fulfil two conflicting requirements. During a certain period each member must receive benefits in proportion to its incapacity. After that period it must receive benefits in proportion to that capacity. Observe the bird fostering its young or the mammal rearing its litter, and you see that imperfection and inability are rewarded; and that as ability increases the aid given in food and warmth become less. Obviously this law that the least worthy shall receive most aid is essential as a law for the immature: the species would disappear in a generation did not parents conform to it. Now mark what is contrariwise the law for the mature. Here individuals gain benefits proportionate to their merits. the strong, the swift, the keen-sighted, the sagacious, profit by their respective superiorities—catch prey or escape enemies as the case may be. The less capable thrive less, and on the average of cases bear fewer offsprings. The least capable disappear by failure to get food or from inability to escape. And by this process is maintained that quality of the species

which enables it to survive in the struggle for existence with other species. There is thus during mature life a reversal of the principle that ruled during immature life. Already we have seen that a society stands to its citizens in the same relation as a species to its members: and the truth which we have just seen holds of the one holds of the other.”

After illustrating and explaining in simple terms how these principles necessarily hold in the case of men, Spencer continues:—

“ Clearly with a society, as with a species, survival depends on conformity to both of these antagonistic principles. Import into the family the law of the society, and let children from infancy upwards have life-sustaining supplies, proportioned to their life-sustaining labours, and the society disappears forthwith by death of all its young. Import into the society the law of the family, and let the life-sustaining supplies be great in proportion as the life-sustaining labours are small, and the society decays from increase of its least worthy members and decrease of its most worthy members. It fails to hold its own in the struggle with other societies, which allow play to the natural law that prosperity shall vary as efficiency. Hence the necessity of maintaining this cardinal distinction between the ethics of the Family and the ethics of the State. Hence the fatal result if family disintegration goes so far that family-policy and state-policy become confused.”

The *ethical* aspect of the above-stated two cardinal principles by virtue of which all animal life has been evolved from the lowest to the highest has next to be considered. Here it is rather the *biological* aspect

which has been noted ; arising, as it does, first in order. The animal conduct which has resulted in the survival of the fittest has been considered irrespective for the moment of all questions of right and wrong, good and bad. It will appear, presently, that animal evolution has taken place owing to the enforcement of sub-human justice—a natural law which has operated from the beginning and will operate until the end : and that nothing but evil can arise from interference with this natural law by public agencies.

In the next chapter the ethical aspect of the principles of action, by pursuance of which each species is preserved, will be considered. In other words, it has now to be considered how these two cardinal principles afford a scientific basis for demonstrating that the proposals of Socialism are *wrong*, and that the doctrines of Individualism are *right*.

CHAPTER VIII.

JUSTICE (*continued*).

In Chapter VII it was seen that the two cardinal laws to which every species of animal must conform if it is to be preserved were (1) that during immaturity benefits received must be inversely proportionate to capacities possessed, and (2) that after maturity is reached benefit must vary directly as worth. These two laws were not, however, dealt with from an ethical standpoint, but simply from the standpoint of fact—fact established by the study of the phenomena of animal life in general. Whether the animal conduct (human as well as sub-human) implied by the two cardinal principles should be regarded as *right* or *wrong*, good or bad, is the question now to be considered. Is the fact that during immaturity benefits received must be inversely proportionate to capacities possessed one which should be ethically approved? Is the fact that after maturity is reached benefit must,

throughout sub-human life, vary directly as worth, a fact to be regarded with satisfaction from the stand-point of Ethics, as distinguished from Biology?

If a doubt occurs as to whether such conduct as the conduct of animals falls within the scope of Ethics at all, and particularly of political-ethics, a reference to the chapter of Part I of *The Principles of Ethics* ("The Data of Ethics") entitled "Conduct in General" and "The Evolution of Conduct" will disclose the scientific answer. Most people, as Spencer points out on the first page of Part IV of *The Principles of Ethics* ("The Ethics of Social Life—Justice") regard the subject-matter of Ethics as being conduct considered as calling forth approbation or reprobation. "But the primary subject-matter of Ethics is conduct considered objectively as producing good or bad results to self or others or both." But:—"Even those who think of Ethics as concerned only with conduct which deserves praise or blame, tacitly recognize an animal-ethics; for certain acts of animals excite in them antipathy or sympathy." It is needless to give illustrations of this significant fact. A moment's reflection will supply them.

Admitting it to be the fact that from the beginning and throughout the vast ages during which Organic

Evolution has been in progress, all animal life has of necessity been maintained by the altruistic conduct of parents, and by the egoistic conduct of adults resulting in the average survival of the fittest—admitting these facts which Biology discloses and places beyond dispute, and regarding them as Laws of Life, all questions of right and wrong apart—what practical bearing, it may be asked, have these biological facts and laws of life on political science if any—what have they to do with the limits of State duties? If a nation (which is equivalent to a species) can only be preserved by conforming to the same laws of life which are essential to the preservation of every species of animal from all but the very lowest to the highest, it is obvious that these cardinal and fundamental laws of life have a lot to do with political science. They become of necessity the very essence of a true theory. What can be more rash than to brush aside as irrelevant to polities the very laws of life by virtue of which every nation or society exists and has evolved from lower and simple to higher and more complex states? These laws are essential to the maintenance of life at all. Who can with any degree of reason seek to improve life and better the conditions of life and increase happiness whilst

ignoring the very principles upon which life depends ?

In the next Section of *The Principles of Ethics* to that relating to the two cardinal principles which have been particularly considered Spencer proceeds as follows :—

“ What is the ethical aspect of these principles ? In the first place, animal life of all but the lowest kinds has been maintained by virtue of them. Excluding the Protozoa, among which their operation is scarcely discernible, we see that without *gratis* benefits to offspring, and earned benefits to adults, life could not have continued. In the second place, by virtue of them life has gradually evolved into higher forms. By care of offspring, which has become greater with advancing organization, and by survival of the fittest in the competition among adults, which has become more habitual with advancing organization, superiority has been perpetually fostered and further advances caused.”

Thus far, it will be noted, Spencer is again restating facts and biological truths, and the results of these facts—results first brought into prominence by the great work of Darwin. These cardinal principles require no scientific acumen to clearly understand them. The first—the necessity of *gratis* benefits to offspring—is of course a simple and self-evident truth ; and the second—earned benefits to adults involving benefit varying directly as worth—is, when once perceived, scarcely less obvious than

the first, for in sub-human life there has been no agency, governmental or otherwise, to interfere with the natural process of the survival of the fittest. It is nevertheless easy to pass over these principles without attaching due significance to the fact that they *are* the cardinal and fundamental laws of animal life—have ever been so, and will ever remain so. To ignore these principles is to fly in the teeth of Nature, and court disaster.

After a brief reference to the carnage which has characterized the evolution of life (carnage which it will be remembered is in reality a merciful process), Spencer continues :—

“ To those who take a pessimist view of animal-life in general, contemplation of these principles can, of course, yield only dissatisfaction. But to those who take an optimist view, or a meliorist view, of life in general, and who accept the postulate of hedonism, contemplation of these principles must yield greater or less satisfaction, and fulfilment of them must be ethically approved.”

The next paragraph in the same Section of *The Principles of Ethics* deals briefly with the religious aspect of the matter. It is, needless to say, a significant paragraph—the most significant in *The Principles of Ethics*. It will be best to reserve this subject for separate consideration, briefly discussing the

propositions contained in the paragraph last quoted.

It is unnecessary to consider the matter at all from the stand-point of pessimism.

From the stand-point that life is worth living, and that progress and higher life is a desideratum, that is from the general and almost universal standpoint, it is impossible logically to assert that the two cardinal principles by which all life has been and is being maintained, and has evolved, are wrong principles. These principles must be regarded as right—"must," as Spencer says, "be ethically approved." Denial of this proposition is logically impossible, except from the stand-point of Pessimism. Unfortunately, the facts, and the argument as well, are almost universally overlooked; and their practical bearing on politics is not seen, and consequently not appreciated. "Along with avowed contempt for 'abstract principles' and generalizations there goes unlimited faith in a motley assemblage of nominees of caucuses ruled by ignorant and fanatical wire-pullers; and it is thought intolerable that its judgments should be in any way subordinated by deductions from ethical truths." Here, however, scientific truths, and inevitable deductions from them, are alone being considered; and it would be difficult to exaggerate the importance of the fact that

Spencer demonstrates scientifically, or rather philosophically (a higher demonstration), that logically, these two fundamental laws of life "must be ethically approved." This will be better appreciated when the necessary implication is fully recognized, and it is clearly seen that animal Evolution has been due to sub-human justice; and that sub-human justice is identical in nature with human justice as formulated by Spencer.

CHAPTER IX.

JUSTICE: ITS ESSENCE NATURALLY REVEALED.

IN Chapter II it was stated in an indefinite way that Spence's ethics of social life (his doctrines as to the rights of the Man and the duties of the State) contained a religious element or had a religious part-basis. Two reasons were given for dealing in a general way with this aspect of Spence's ethics at the commencement of the series. In the first place it was pointed out that Spence, himself, prefaches *A System of Synthetic Philosophy* with a part (Part I of *First Principles*) concerning his religious beliefs which contains a statement as to the relations of Religion and Science, and as to ultimate religious ideas; and it was contended that this fact alone was a sufficient reason for dealing briefly with his religious attitude first of all. In the second place it was mentioned that the religious element in *The Principles of Ethics* was not conspicuous, as, indeed, might be

anticipated in a strictly scientific treatise on Ethics: and hence the second article was intended to be in a general way preparatory for a close examination of the actual basis of Spencer's political theory, the most essential part of which was the least prominent—misapprehension being in consequence especially liable to arise. Quotations having been given from Spencer's works showing that all along ethical principles having superhuman origins were placed by Spencer above laws having human origins, and references having been given to those parts of his works in which this aspect of the matter is specifically dealt with, it will be unnecessary here to enlarge at length. A passage in the preface to "Justice" (Part IV of *The Principles of Ethics*) which occurs only in the volume in which "Justice" was published separately in 1891 is, however, specially explanatory and useful:—

"This work covers a field which, to a considerable extent, coincides with that covered by *Social Statics*, published in 1850; though the two differ, alike in extent, in form, and partially in their ideas. One difference is that what there was in my first book of supernaturalistic interpretation has disappeared, and the interpretation has become exclusively naturalistic—that is, evolutionary. With this difference may be joined the concomitant difference, that whereas a biological origin for ethics was, in *Social Statics*, only indicated, such origin has now been definitely set forth; and the elaboration of its consequences has become the cardinal trait."

The significance of this passage will become more evident when a return is made to the passage in which the use of the words the "Divine Will" might be construed as introducing a supernaturalistic element. Whilst he devotes a chapter specifically to the importance of discriminating between the great divisions of altruism, Justice and Beneficence, Spencer nowhere *specifically* enlarges on the importance of discriminating between rules of superhuman origin and rules of human origin : he leaves the fact to speak for itself : he treats its importance as self-evident. That the natural laws by virtue of which life has evolved do possess a superhuman warrant is undeniable—and it is equally undeniable that the fact is of the most supreme importance. It would have been quite contrary to Spencer's nature to parade his religious beliefs. He was far too religious to do this. They are stated systematically at the beginning of *First Principles* and in the chapter of the Principles of Sociology entitled "Religious Retrospect and Prospect." The nature of his feelings and convictions is illustrated by Dr. Duncan in *Life and Letters* as follows :—

" His disregard of authority, human or divine, was disregard of *personal* authority only, and was accompanied by whole-

hearted fealty to principles. His profound respect for the *impersonal* authority of principles in human affairs had its complement in a reverence for Divine *impersonal* authority. State ceremonial and ecclesiastical ceremonial were alike distasteful. To pay homage to royal persons while showing so little respect for the principles that underlie human society, drew from him the reproof: ‘It is so disloyal.’ To bend the knee and utter praise to a Divine Person, while ignoring the principles of religion and morality, met with a similar condemnation: ‘It is so irreligious.’”

It now becomes necessary in order to definitely appreciate the significance of the one passage to which all that has been said above is by way of explanation, to restate, at the risk of apparently unnecessary repetition, the two cardinal ethical principles by virtue of which all animal life, from the lowest to the highest, has evolved. The two cardinal principles in question, to repeat and somewhat amplify them, are: (1) “That during immaturity benefits received must be inversely proportionate to capacities possessed,” and (2) “Contrariwise, after maturity is reached benefit must vary directly as worth: worth being measured by fitness to the conditions of existence. The ill-fitted must suffer the evils of unfitness, and the well-fitted profit by their fitness.” In other words, “without gratis benefits to offspring and earned benefits to adults, life could not have continued.”

Having shown, as noted in the last chapter, that these principles must be ethically approved, since all (or practically all) animal life has been maintained by virtue of them, and has gradually evolved into higher forms, Spenceer proceeds to say :—

“Otherwise considered, these principles are, according to the current belief, expressions of the Divine Will, or else, according to the agnostic belief, indicate the mode in which works the Unknowable Power throughout the Universe ; and in either case they have the warrant hence derived.”

No attempt will be made to find words to express the significance of the fact stated by Spenceer in the last quoted paragraph. In addition to the fact that the significance of Spenceer’s words is self-evident, Spenceer’s treatment of the fact is scarcely less significant. It is obvious that he might have dwelt at length on this aspect of the laws of life in question. As he is dealing with principles from the stand-point of Science, and not of Religion, he contents himself with stating the fact, once and for all. There is no other passage in *A System of Synthetic Philosophy* in which a religious warrant is specifically claimed for the fundamental principle. The statement made by Spenceer is made as a scientific fact. Is this not tantamount to a logical demonstration that guidance

exists which is of absolutely transcendent importance and authority.

The above quoted paragraph in Spencer's "Ethics of Social Life" obviously introduces a religious element ; and the paragraph is, therefore, of such moment that it will be well to pause and submit it to an analytical scrutiny—not that it presents any special difficulty of interpretation.

What is the meaning of the words "Otherwise considered"—Spencer's standpoint so far having been a purely philosophical one ? If the words do not mean "considered from the standpoint of Religion as distinguished from the standpoint of Science" what do they mean ? Again : what kind of a warrant is derived from "expressions of the Divine will" if not a warrant of a religious nature ? Why did Spencer introduce the words "Divine will" into this paragraph at all ? Can any better reason be alleged than that he felt the inexpressible importance of emphasizing the nature of the warrant ; and he knew that the words of the current creed are better understood by most than the words of the Agnostic creed—words which are equally significant although less intelligible to many ?

To make the matter clearer it may be otherwise stated thus :

In the paragraph Spencer claims a certain warrant for certain principles which pervade his political theory. The warrant claimed is, in a sense, of a doubly religious nature. For it is asserted to exist whether the question be regarded from the standpoint of either of one or the other of two religious creeds. If the standpoint is that of the current belief, then the words which best express the fact and define the nature of the warrant are, according to Spencer, that the fundamental principles in question "are expressions of the Divine will." If the standpoint is that of the Agnostic creed, then the words which best express the fact and define the nature of the warrant are that the principles in question "indicate the mode in which works the Unknowable Power." Spencer here employs and links together the words of two creeds to emphasize the fact and the nature of the warrant.

The argument may be summarized as follows:— It is beyond question that in the paragraph Spencer asserts that the fundamental political principles in question have a certain warrant. It is equally beyond question that Spencer states that the warrant is derived from a certain fact—the warrant is derived from the fact that according to the current belief the

principles in question "are expressions of the Divine will," or else, according to the Agnostic creed, the same principles "indicate the mode in which works the Unknowable Power." "The Infinite Unknowable Power" is, according to Spencer, the object of the religious sentiment. It is evident, therefore, that the warrant claimed is of a religious character. A religious element or part-basis is thus introduced at the very beginning of "The Ethics of Social Life"; and it is associated with the political theory. It may therefore be truly said that Spencer specifically included the sanction of Religion in the verdict of Philosophy.

Consideration of this aspect of Spencer's politico-ethical teaching may fitly be concluded with a passage in *First Principles* which was confirmed thirty-six years later when writing the last words of the *Synthetic Philosophy*.

"Few are as yet wholly fitted to dispense with such conceptions as are current. The highest abstractions take so great a mental power to realize with any vividness, and are so inoperative on conduct unless they are vividly realized, that their regulative effects must for a long period to come be appreciated on but a small minority. To see clearly how a right or wrong act generates consequences, internal and external, that go on branching out more widely as years progress, requires a rare power of analysis. And to estimate these consequences in their totality requires a grasp of thought

possessed by none. Were it not that through the progress of the races men's experiences of the effects of conduct have been slowly generalized into principles—were it not that these principles have been from generation to generation insisted on by parents, upheld by public opinion, sanctified by religion, and enforced by threats of eternal damnation for disobedience—were it not that under these potent influences habits have been modified, and the feelings proper to them made innate : disastrous results would follow the removal of these strong and distinct motives which the current belief supplies. Even as it is, those who relinquish the faith in which they have been brought up, for the most abstract faith in which Science and Religion unite, may not uncommonly fail to act up to their convictions. Left to their organic morality, enforced only by general reasonings difficult to keep before the mind, their defects of nature will often come out more strongly than they would have done under their previous creed. The substituted creed can become adequately operative only when it becomes, like the present one, an element in early education, and has the support of a strong social sanction. Nor will men be quite ready for it until, through the continuance of a discipline which has partially moulded them to the conditions of social existence, they are completely moulded to those conditions.

“ We must therefore recognize the resistance to a change of theological opinion, as in a great measure salutary. . . . And so we learn that theological conservatism, like political conservatism, has an important function.”

It will appear presently that Spencer's formula of Justice is in every way consistent with the essential principles of justice thus naturally revealed. The law of sub-human justice is that each individual

shall receive the benefits and the evils of its own nature and consequent conduct. Human justice, as formulated by Spenceer, is, it has been seen, a further development of sub-human justice. The justice which Spencer shows it is the duty of the State to administer is essentially of the same nature. As in Nature at large, so in the most civilized society, the primary law and the essential condition of progress is that each individual ought to receive the benefits and the evils of his own nature and consequent conduct. Each individual ought to have assured to him the full benefits of his own conduct ; and ought not on the other hand to be allowed to shoulder off on to other persons such ills as are brought to him by his actions. Nature assures this result to every sub-human creature, since there is no agency to interfere ; and by virtue of this natural guarantee of the receipt of the full benefits accruing to the superior on the average animal evolution has taken place from the lowest to the highest. This law, that each shall take the benefits of his own nature, is the primary and fundamental law. Associated men (a society or nation) who desire to further progress, and thus increase happiness, have to continue to enforce, as Nature does, the essential first condition—assuring to each the full benefit of

his actions and conduct. Only thus can full play be given to the law of the survival of the fittest. When associated men, or their agent or appliance—the State—take away from some individuals the benefits, or any part of the benefits, of such individuals' actions by taxation, or otherwise, for any purpose other than protection (protection being equivalent to enforcing the fundamental law) the State breaks the fundamental law of progress. In seeking to be generous to B, the State acts unjustly to A: and Justice being the primary law of progress, “What can be a more extreme absurdity than that of proposing to improve social life by breaking the fundamental law of social life ?”

The universal warfare maintained throughout the lower creation “is at bottom the most merciful provision which the circumstances admit of”: and if the State, in attempting to prevent misery, replaces Justice by Generosity, disaster must follow, and further misery be entailed.

CHAPTER X.

THE FORMULA OF JUSTICE.

In Chapter VI an outline was given of the argument contained in the 225 pages of the *Principles of Ethics* concerning the limits of State-duties. As yet the first paragraph only of this outline has been amplified: and five pages only of the 225 have been closely considered—the reason being that it has been thought desirable to make a careful examination into the biological basis of Spencer's doctrines. Any considerable further discussion of this part of the subject must be omitted. Much will have to be passed over which, in justice to the argument, ought to be included. In view of the abstract form of the argument, and in view of the fact that in so far as Spencer was able to achieve that end, there is not a superfluous syllable in the 225 pages, expansion rather than reduction frequently appears desirable by way of introduction.

In the next paragraph to the paragraph which specifically introduces a religious element into the fundamental principles of Spenceer's ethics, Spenceer, putting aside the controversy of pessimism *versus* optimism, sets forth a hypothetical postulate. This postulate is important: the conclusions which emerge forming an irrefutable basis for the ethics of social life. In brief this hypothetical postulate is as follows: If the preservation and prosperity of a species is to be desired certain conclusions are undeniable. Firstly, in order of obligation, the preservation of the species takes precedence of the preservation of the individual. From this one most general conclusion three less general conclusions follow. They are: (a) that among adults benefits received shall be directly proportionate to merits possessed—otherwise deterioration ending in extinction ensues; (b) gratis benefits to offspring; and (c) if the conditions of existence of the species are such that sacrifices of some individuals "so subserve the welfare of the species that its numbers are better maintained than they otherwise would be, then there results a justification for such sacrifices."

"Such are the laws by conformity to which a species is

maintained; and if we assume that the preservation of a particular species is a *desideratum*, there arises in it an obligation to conform to these laws, which we may call, according to the case in question, quasi-ethical or ethical."

The paragraph last quoted is the concluding paragraph of Chapter I.

In Chapter II, entitled "Sub-Human Justice," Spencer proceeds to consider the law of the species as composed of adults only—the law that individuals of the most worth, as measured by their fitness to the conditions of existence, shall have the greatest benefits—"a law which under its biological aspect, has for its implication the survival of the fittest. Interpreted in ethical terms, it is that each individual ought to be subject to the effects of its own nature and resulting conduct"—sub-human justice.

Chapter III ("Human Justice") opens with the following passages:—

"The contents of the last chapter foreshadow the contents of this. As from the Evolution point of view, human life must be regarded as a further development of sub-human life, it follows that from the same point of view, human justice must be a further development of sub-human justice. For convenience the two are here separately treated, but they are essentially of the same nature, and form part of a continuous whole."

"Of man, as of all inferior creatures, the law by conformity

to which the species is preserved, is that among adults the individuals best adapted to the conditions of their existence shall prosper most, and that the individuals least adapted to the conditions of their existence shall prosper least—a law which, if uninterfered with, entails survival of the fittest, and spread of the most adapted varieties. And as before so here, we see that, ethically considered, this law implies that each individual ought to receive the benefits and the evils of his own nature and consequent conduct: neither being prevented from having whatever good his actions bring to him, nor allowed to shoulder off on to other persons whatever ill is brought to him by his actions.”

The remainder of the chapter is devoted to showing that from the beginning the principle of justice, as set forth by Spencer, is recognized practically, if not theoretically. Several sets of facts are given in evidence of this being so.

In Chapter IV the evolution of the sentiment of justice is explained and illustrated: and in Chapter V ideas of justice are discussed and analysed. Spencer points out that inequality is the primordial idea, and then explains how the idea of equality has arisen: and after criticizing Bentham’s views and indicating the absurdities involved in the theory of Communism, Spencer shows that the true theory is arrived at by co-ordinating the antagonistic wrong views. The equality concerns the spheres of actions. The inequality concerns the results which each may achieve.

A formula of justice has to precisely express this compromise. If each is to suffer the good and the evil results of his actions he must be allowed to act subject only to the restraint imposed by the presence of others having like claims to act. The form in which Spencer expresses this first principle of social ethics has already been given, but it may be desirable to repeat it here:—“Every man is free to do that which he wills, provided he infringes not the equal freedom of any other man.”

The general full liberty to act thus enunciated includes all Rights—claims to life, to personal liberty, to property, to free speech, etc. It should be noted that when saying “Every man is free to do that which he wills,” Spencer means “free to do it, that is, in the sense that within this limit, other men have no right to restrain him.” As this formula of justice is a summary abstract statement of all Rights; and as justice consists in ensuring to each his rights, the formula is, it will be seen, the basis or abstract statement of an ideal legal code. In other words, the duty of the State being limited to that of protector against external and internal enemies, the formula of justice is the basis of the duties of the State. Apart from national defence the State has no function

except to enforce in the concrete what this formula expresses in the abstract.

When setting forth this formula of justice in *Social Statics* forty years earlier, Spenceer then thought that he was the first to recognize the law of equal freedom as being the fundamental principle of the ethics of social life. Subsequently to 1885 and before completing Part IV of the *Ethics*, "Justice," now under consideration, he became aware of the fact that Kant had enunciated a similar doctrine. The views of Kant are given in Appendix A to *The Principles of Ethics*; and the modes in which Spenceer and Kant approached the question respectively form the subject of reference in "The Filiation of Ideas" (*Life and Letters*).

Here a landmark is reached in that part of the *Ethics* which treats of the duties of the State. All along it has been manifest that if the duty of the State is to administer justice, the vital question is—What is justice? Forty-six pages of the *Ethics* are occupied in tracing up the evolution of justice from its simple form "considered objectively as a condition to the maintenance of life," and in discussing the evolution of the sentiment of justice, the idea of justice, and, in brief, what justice is.

CHAPTER XI.

THE AUTHORITY OF THE FORMULA.

SPENCER devotes a chapter to setting forth the authority for the formula of justice. In doing so he deals first with beliefs of those who have approached the question from the religious side, instancing the Hebrew commandments which “while they do not overtly recognize the positive element in justice—the full liberty to act—affirm in detail its negative element—specify limits to actions; and, by prescribing these limits for all Hebrews, tacitly assert that life, property, good name, etc., must be respected in one as in another.” Modern ethical forms, as illustrated by the doctrines of Kant, are next considered. Then evidence is adduced as to the importance attached by jurists in general to Natural Law; Sir Henry Maine on Roman law, Blackstone, and Sir James Mackintosh are quoted—the conclusion reached being that: “Behind the authority, monarchical, oligarchic, or parliamentary,

which enacts laws represented as supreme, there is at length recognized an authority to which it is subordinate—an authority, therefore, which is not derived from human law, but is above human law, an authority which is by implication ascribed, if not to divine enactment, then to the nature of things."

Spencer points out that even had the dicta cited and together with them the law of equal freedom as formulated by him no other than *a priori* derivations, "it would still be rational to regard them as adumbrations of a truth, if not literally true," since *a priori* beliefs entertained by men at large, must have arisen, if not from the experiences of each individual then from the experiences of the race. "The expediency system, if it does not claim for itself an *a priori* warrant then it has no warrant." In summing up the authority for the formula of justice the fact is emphasized that the principle expressed as the freedom of each limited only by the like freedom of all, is not an exclusively *a priori* belief; but on the contrary is a belief deducible from the conditions to be fulfilled, for the maintenance of life at large: and hence the supreme importance of the basis afforded by Biology. Biology affords a basis of fact for the fundamental law of the relation between conduct

and consequence ; and it is a necessary implication that there should be full liberty to act if survival of the fittest is to be the result. The law of equal freedom "*is but a conscious response to certain necessary relations in the order of nature.*" "*No higher warrant can be imagined* ; and now, accepting the law of equal freedom as an ultimate ethical principle, having an authority transcending every other, we may proceed with our inquiry."

Here, then, Spencer closes that all-important part of "The Ethics of Social Life," which in sixty-one pages treats of and answers the vital question, What is Justice ? These pages contain the essence of his life work. Fundamental laws of life, with origins as deep as the beginnings of animal life, are shown to contain the essential principle of human justice. These laws are seen to have been an essential condition of Evolution from the beginning. By virtue of them all animal evolution has taken place ; by virtue of them all such civilizations as have so far arisen have been spontaneously evolved ; and further progress is necessarily and obviously conditional on human laws framed consistently with these fundamental principles of super-human authority. The question, What is Justice ? is thus threshed out exhaustively

and scientifically. The definite answer found by Science is formulated. The justice which it is the duty of the State to enforce is the justice which in the process of Evolution has all along been enforced either (according to the current creed) by the Deity; or else, (according to the Agnostic creed), by the Unknowable Power: and the conformity enjoined by Religion is asserted.

The inductive verifications furnished by Political Economy are mentioned by Spencer in a subsequent chapter entitled "A Retrospect with an Addition." Spencer notes that Political Economy reaches conclusions which Ethics independently deduces; and he cites a series of instances which unite in showing that Political Economy demonstrates not only that *harmony* of co-operation but that *efficiency* of co-operation is best achieved by conformity to the law of equal freedom.

CHAPTER XII.

RIGHTS.

In the next chapter of *The Principles of Ethics* Spencer shows that rights are the several particular freedoms deducible from the law of equal freedom—"rights are but so many separate parts of a man's general freedom to pursue the objects of life, with such limitations only as result from the presence of other men who have similarly to pursue such objects," and "if a man's freedom is not in any way further restricted, he possesses all his rights. If the integrity of his body is in no way or degree interfered with; if there is no impediment to his motion and locomotion; if his ownership of all that he has earned or otherwise acquired is fully respected; if he may give or bequeath as he pleases; occupy himself in what way he likes; make a contract or exchange with whomsoever he wills; hold any opinions and express them in speech or print; etc.,

nothing remains for him to demand under the name of rights." The above enumerative rights are the most important of the several particular parts of the positive element in the formula of justice—the element expressed in the words "Every man is free to do that which he wills."

Although the ten chapters relating to rights contain about eighty pages, no new fundamental principle is raised in them, affecting the question of the limits of the duties of the State. The law of equal freedom being a first principle of ethics, existing independently of any authority of the State, each of the special rights deducible from the first principle similarly has a basis independent of State authority. These ten chapters, treating respectively of the various particular rights included in the general right enunciated in the formula of justice, must unfortunately of necessity be passed over owing to considerations of space. Whilst their contents may to some extent be regarded as matter of detail rather than of principle, it is needless to say that the doctrines enunciated are of supreme importance, including as they do, Spence's final views as to the Land Question,* his doctrines concerning true principles of taxation,

* Cf. Appendix B.

the demonstration that ethics requires the full recognition of the right of free contract, and of the right of property free from all taxation whatever except for protection. The bare mention of the fact, coupled with a reminder that the doctrines have a scientific basis, in itself is equivalent to asserting that guidance of unique authority is available in *The Principles of Ethics*.

It is specially noteworthy that the several particular rights deducible from the law of equal freedom one and all coincide with ordinary ethical conceptions : and, that they one and all correspond with legal enactments. A perusal of the chapters in question will disclose the significant fact that it is beyond question that the warrant for what are properly called rights is not derived from law : but that, on the contrary the law derives its warrant from them. The idea that rights are State-created is logically demonstrated to be absurd in *The Man versus the State*.

Justice requires that each should have the general right formulated in the formula of justice—the full liberty to act. It follows that justice requires that each should have the several particular rights which are logically shown to be included in the general

right. As it is the duty of the State to enforce Justice, it follows that it is the duty of the State to secure to each the general right—the freedom “to do all that he wills” (subject only to the proviso implied by the same right being possessed by all). As the State has to secure to each this general right, and as a necessary corollary the several particular rights included in it (treated as separate rights by the law, and by ethics also for convenience), it follows that a veto is put on all socialistic legislation, and on the assumption by the State of any duty except that of protection. How is this so, it may be asked. Because whatever the State does outside its essential duty, it must break the law of equal freedom in so doing, and infringe the principle of justice. In other words, instead of enforcing justice it must enforce injustice. One or two concrete illustrations will make this abstract statement clear. If the State acquires railway services, postal services, telegraph and telephone services, it can only do this by driving an individual or associations of individuals, corporations or companies, out of a sphere of action to which such individual or associations of individuals are entitled by virtue of the law of equal freedom as enunciated in the formula of justice. This particular

illustration is applicable to all cases of State trading—general or local. To illustrate another class of cases: if the State taxes A to insure B, the State, instead of enforcing justice, is enforcing injustice. It is forcibly taking from A a part of his property to which, by virtue of the law of equal freedom, he is absolutely entitled as a matter of ethics (apart only from such deduction as is necessary to ensure the maintenance of his rights of property and other rights). Again: if the State makes laws enacting minimum wages the State infringes the law of equal freedom. It steps between A and B and prevents freedom of contract. It deprives both the employer and the employed of their rights to make what terms they choose.

The supposed absolute rights of majorities are excluded by the dictum that the State has to enforce justice. Once scientifically define justice, as Spencer has done, and majorities are, ethically, bound by the definition.

CHAPTER XIII.

THE DUTIES OF THE STATE.

THE words in which Spencer defines the duties of the State are as under:—

“The primary function of the State, or of that agency in which the powers of the State are centralized, is the function of directing the combined actions of the incorporated individuals in war. The first duty of the ruling agency is national defence. What we may consider as measures to maintain inter-tribal justice are more imperative, and come earlier, than measures to maintain justice among individuals.”

As to the secondary function—the administration of justice—Spencer states:—

“Not only is the primary function of government that of combining the actions of the incorporated individuals for war, while its secondary function of defending its component members against one another is step by step established; but this secondary function arises by differentiation from the primary one. . . . Once established, this secondary function of the State goes on developing, and becomes a function next in importance to the function of protecting against external enemies.”

The only other duty named by Spencer is thus specified :—

“ One further duty of the State, indirectly included in the last, but distinguished from it, must be set down, and its consequences specified. I refer to its duty in respect of inhabited territory.

“ For employments of the surface other than those already established, and tacitly authorized by the community through its Government, these require State authorizations. As trustee for the nation the Government has to decide whether a proposed undertaking—road, canal, railway, docks, etc., etc.—which will so change some tract as to make it permanently useless for ordinary purposes, promises to be of such public utility as to warrant the alienation.”

Thus it will be seen that the duties of the State are limited by Spencer to defence against external enemies and to the administration of justice. Beyond the duty of acting as protector, the State has, in a completely evolved or perfect society, no other functions.

It is perhaps unnecessary to consider at length how Spencer demonstrates that it is the duty of the State to act as protector against external enemies; neither is it necessary to enlarge upon the basis for the duty of administering justice. What it will be most material to consider is, how Spencer demonstrates that the State has no duties beyond the above-mentioned primary and secondary essential duties.

As a preliminary to the discussion it may, however, be desirable to ascertain Spencer's stand-point in regard to the nature of the State, and of governmental arrangements in general. What is the State? Whence does it derive its authority? The scientist who asserts and claims to demonstrate that the State has no right to tax the citizen for any purpose whatsoever other than for the purpose of protecting him, is clearly a thinker with very unconventional views as to the nature of the State; and with exalted views as to the rights of the Man.

A contrast may serve to bring into relief the real nature of the State (perceived by Spenceer) as distinguished from the superstitious ideas of the State and its authority generally prevailing.

Stephen's *New Commentaries on the Laws of England* (a work which law students are required by the Incorporated Law Society to read as a preparation for the first examination of that society) may be treated as an authoritative work. In it the rights and powers of Parliament are thus described:—

“The power and jurisdiction of Parliament, says Sir Edward Coke, is so transcendent and absolute, that it cannot be confined, either for causes or persons, within any bounds. . . . It hath sovereign and uncontrollable authority in the

making, confirming, enlarging, restraining, abrogating, repealing, reviving, and expounding of laws concerning matters of all possible denominations, ecclesiastical or temporal, civil, military, maritime or criminal; this being the place where that absolute despotic power, which must in all Governments reside somewhere, is entrusted by the constitution of these kingdoms. All mischiefs and grievances, operations and remedies, that transcend the ordinary course of the laws, are within the reach of this extraordinary tribunal. It can regulate or new model the succession to the Crown. . . . It can alter the established religion of the land. . . . It can change and create afresh even the constitution of the kingdom. . . . It can, in short, do everything that is not naturally impossible; and therefore some have not scrupled to call its power, by a figure rather too bold, the omnipotence of Parliament. True it is that what the Parliament doth no authority upon earth can undo.”

Concerning the royal prerogative it is asserted:—

“ *Rex est vicarius et minister Dei. in terra: omnis quidem sub eo est, et ipse sub nullo, nisi tantum sub Deo.*”

Such is a specimen of the teaching of the Jurists, and of the lessons the law student has still to learn. Power transcendent, absolute, despotic, without any bounds, is to be taken to be vested in Parliament, and *must* be so vested.

The chapter of *The Principles of Ethics* entitled “Political Rights—so-called” contains definitions of government as under:—

“Such parts of the social arrangements as make up what we call government, are instrumental to the maintenance of rights, here in a great measure, and there in a small measure ; but in whatever measure, they are simply instrumental, and whatever they may have in them which may be called right, must be so called only in virtue of their efficiency in maintaining rights. . . .”

“This or that system of government is but a system of appliances. Government by representation is one of these systems of appliances ; and the choosing of representatives by the votes of all citizens is one of the various ways in which a representative government may be formed. Hence, voting being simply a method of creating an appliance for the preservation of rights, the question is whether universal possession of votes conduces to creation of the best appliance for preservation of rights. We have seen above that it does not effectually secure this end, and we shall hereafter see that under existing conditions it is not likely to secure it.”

In the article entitled “The Great Political Superstition” (originally published in the *Contemporary Review* for July, 1884), which was republished with the three other articles under the title of *The Man versus The State*, the real nature of representative government and of its authority is stated in clear and simple terms :—

“When that ‘divinity’ which ‘doth hedge a king,’ and which has left a glamour around the body inheriting his power, has quite died away—when it begins to be seen clearly that, in a popularly governed nation, the government is simply a committee of management ; it will also be seen that this

committee of management has no intrinsic authority. The inevitable conclusion will be that its authority is given by those appointing it, and has just such bounds as they choose to impose. Along with this will go the further conclusion that the laws it passes are not in themselves sacred; but that whatever sacredness they have, it is entirely due to the ethical sanction—an ethical sanction which, as we find, is derivable from the laws of human life as carried on under social conditions. And there will come the corollary that when they have not this ethical sanction, they have no sacredness, and may rightly be challenged."

In *The Principles of Sociology* reference is thus made to the nature of the power of governments:—

"Though the habit, general in past times, of regarding the powers of governments as inherent, has been, by the growth of popular institutions, a good deal qualified, yet even now, there is no clear apprehension of the fact that governments are not themselves powerful, but are the instrumentalities of a power. This power existed before governments arose; governments were themselves produced by it; and it ever continues to be that which, disguised more or less completely, works through them. . . .

"Politicians reason as though State-instrumentalities have intrinsic power, which they have not, and as though the feeling which creates them had not intrinsic power, which it has."

And in *The Study of Sociology* Spencer says:—

"For, in the modes of thought that we have been contemplating, there is a tacit assumption that a government moulded

by itself has some efficiency beyond that naturally possessed by a certain group of citizens subsidized by the rest of the citizens. True, if you ask them, they may not deliberately assert that a legislative and administrative apparatus can exert power, either mental or material, beyond the power proceeding from the nation itself. They are compelled to admit, when cross-examined, that the energies moving a governmental machine are energies which would cease were citizens to cease working and furnishing the supplies. But, nevertheless, their projects imply an unexpressed belief in some store of force that is not measured by taxes. When there arises the question—Why does not Government do this for us? there is not the accompanying thought—Why does not Government put its hands in our pockets, and, with the proceeds, pay officials to do this, instead of leaving us to do it ourselves; but the accompanying thought is—Why does not Government, out of its inexhaustible resources, yield us this benefit?"

Thus does Spencer explain what is in reality the nature of representative government; and that its nature is not, in fact, what it is almost universally supposed to be—that it is not intrinsically powerful and intrinsically possessed of unlimited rights. Ideas which attribute to government an "efficiency beyond that naturally possessed by a group of citizens subsidized by the rest" are of a superstitious character and have no warrant in fact. There is no efficiency beyond that *naturally* possessed. The word *naturally* is not specially emphasized by Spencer; but, perhaps,

it requires to be so emphasized, in order adequately to appreciate its importance.

The divergence between Spencer's clear perception of the real nature of Government, and current superstitious ideas concerning the rights and powers of Government, is even greater than is evident on the face of the quotations which have been given. The divine right of kings being "the great political superstition of the past" and "the divine right of parliaments" being "the great political superstition of the present," it will be found when all superstitious ideas are removed, that Government has no rights properly so called at all; and is, in fact, an agency created by the Man to maintain the rights of the Man which exist independently of the State altogether. And hence it is obvious that the question which comes first in natural order is the question of what are the rights of the man as between himself and the aggregate of men—the State.

Whilst government has no *rights* properly so called, it has *duties*; and its secondary duty being that of maintaining the rights of the individual against aggressions by other individuals—in other words, enforcing justice—this duty cannot, it is evident, be defined in detail without first defining in some way

the rights which have to be protected. In *The Ethics of Social Life*, “*Justice*,” *rights*, therefore, occupy a prior position to the position occupied by the *duties* of the State.

CHAPTER XIV.

THE LIMITS OF STATE DUTIES.

HAVING illustrated the evolution of government, and shown inductively that the first duty of the State is national defence, and that the secondary function of the State is the administration of Justice, Spencer proceeds to show deductively how it is inferable that these two duties are the essential ones.

"Maintenance of those conditions under which each one's efforts brings their reward is, in the case of a society, liable to be traversed by external foes and by internal foes. The implication is that for the prosperity of a species, or in this case of a society, these conditions must be maintained by a due exercise of force; and for the exercise of such force the corporate action of the society is demanded—imperatively in the one case and with something approaching to imperativeness in the other. To such exercise of force, citizens at large (excluding criminals) have good reasons to assent. Observe their motives."

Good reasons are then stated for authorizing the State-coercion required in connexion with the Army

and Navy, and for the authorization of the necessary taxation. Good reasons are also stated for taxation for security against internal foes—criminals and other aggressors.

“Thus these primary and secondary duties of the State are implied by those fundamental needs which associated men experience. They severally desire to live, to carry on their activities, and reap the benefits of them. All have motives to maintain against external enemies the conditions under which these ends may be achieved, and all, save aggressors of one or other kind, have motives to maintain these conditions against internal enemies. Hence at once the duty of the State and the authority of the State.”

In other words, it is the business of the social aggregate to maintain the ultimate law of species life.

Each nation constitutes a variety of the human race. The welfare of humanity at large will be achieved by the prosperity and spread of the best varieties. Production of and maintenance of the best individuals is achieved by conformity to the law of conduct and consequence. The greatest prosperity will occur where each is so constituted that he can fulfil the requirements of his own nature without interfering with the fulfilment of such requirements by others. If the *desideratum*, alike for the individuals, for the society, and for the race, is that

the individuals shall be such as can fulfil their several lives subject to the conditions named, then it is for the society in its corporate capacity to insist that these conditions shall be conformed to. It is clear that it is not permissible to do anything which hinders the doing this.

“ Hence the question of limits becomes the question whether, beyond maintaining justice, the State can do anything else without transgressing justice. On consideration we shall find that it cannot.”

In the following section it is shown that the State cannot go beyond fulfilment of its duty as above specified without reversing its duty. The section occupies about two pages. These two pages are the last of the 225 pages in which the subject of the duties of the State and the limits of State duties are considered from the standpoint of absolute ethics. The essence of the argument is contained in the following passages, and concerns two ways in which the State reverses its duty; (*a*) by a greater restraint of the freedom of some individuals than is necessary to maintain the law of equal freedom; and (*b*) by taxation for other purposes than protection.

“ If justice asserts the liberty of each limited only by the like liberties of all, then the imposing of any further limit is

unjust ; no matter whether the power imposing it be one man or a million of men. As we have seen throughout this work, the general right formulated, and the special rights deducible from it, do not exist by authority of the State ; but the State exists as a means of preserving them. Hence, if instead of preserving them, it trenches upon them, it commits wrongs instead of preventing wrongs."

In illustration of this doctrine Spencer mentions various inroads on liberties which would be regarded as intolerable aggressions by the State, and emphasizes the fact that if large inroads are wrong, so also are smaller inroads. "As we hold that a theft is a theft whether the amount stolen be a pound or a penny, so we must hold that an aggression is an aggression whether it be great or small."

Dealing with the second of the two ways in which the State aggresses on the individual, Spencer says :—

" Money taken from the citizen, not to pay the costs of guarding from injury his person, property, and liberty, but to pay the costs of other actions to which he has given an assent, inflicts injury instead of preventing it. Names and customs veil so much the facts, that we do not commonly see in a tax a diminution of freedom ; and yet it clearly is one. The money taken represents so much labour gone through, and the product of that labour being taken away, either leaves the individual to go without such benefit as was achieved by it or else to go through more labour . . . and to whatever extent this is carried, to that extent the citizens become slaves of the government."

"But they are slaves for their own advantage" will be the reply. . . . Yes, that is the theory—a theory not quite in harmony with the vast mass of mischievous legislation filling the statute-books. But this reply is not to the purpose. The question is a question of justice; and even supposing that the benefits to be obtained by these extra public expenditures were fairly distributed among all who furnish funds, which they are not, it would still remain true that they are at variance with the fundamental principle of an equitable social order. A man's liberties are none the less aggrieved upon because those who coerce him do so in the belief that he will be benefited. In thus imposing by force their wills upon his will, they are breaking the law of equal freedom in his person, and what the motive may be matters not. Aggression which is flagitious when committed by one is not sanctified when committed by a host."

Here page 225 of Vol. II of *The Principles of Ethics* is reached; and Spencer notes that if kept strictly within its limits, this, the most important division of *The Principles of Ethics*, and the most important Part of the *Synthetic Philosophy*, should be brought to a close. . . . "But it will be desirable here to devote some space to the proofs that these actions which are unjust in theory are also impolitic in practice."

Three further chapters entitled "The Limits of State-Duties" follow, prefaced by a note that for the full vindication of the conclusions set forth, and for the multitudinous facts which justify them,

reference should be made to the Essays, "Over-Legislation ;" "Representative Government—What is it Good for ?" "State Tamperings with Money and Banks ;" "The Collective Wisdom ;" "Political Fetishism ;" and "Specialized Administration." "To these may be added sundry chapters forming the latter part of *Social Statics*."

The first of these three supplemental chapters opens with the profoundly significant argument from the law of organization—the specialization of functions. This argument Spencer has termed "The pure science of the matter" ; and he demonstrates that, all other evidence apart, it shows conclusively what is the proper sphere of legislation.

It has been mentioned that Spencer recommends those who are unacquainted with his works to commence with some of the *Essays*. The above mentioned Essays are specially suited for this purpose. They relate, it has been seen in Chapter IV, to that part of the *Synthetic Philosophy* which was regarded by Spencer as the most important—the part which is here being specifically considered. A few words may be desirable as to the contents of the more important of the *Essays* which Spencer, thus, in effect, appends to Part IV of *The Principles of Ethics*.

The Essay "Over-Legislation" extends to the length of fifty-four pages. The leading propositions of this Essay (which are supported by facts) are thus stated by Spencer in the *Autobiography* :—

"The incidents of our private lives often prove to us the fallibility of our judgments—our 'best laid schemes . . . gang oft agley.' How then can we be so very confident about our schemes for public welfare, in respect of which our judgments, because of complicated data, are so much more liable to err. And should not our hesitation be immensely increased on contemplating the blunderings of our ancestors, seen in the almost countless statutes which century after century have been passed and repealed after severally doing mischief. Again, why should we hope so much from State-agency in new fields, when in the old fields it has bungled so miserably? Why, if the organizations for national defence and administration of justice work so ill that loud complaints are daily made, should we be anxious for other organizations of kindred type? And conversely, why, considering that private enterprise has subdued the land, built the towns, made our means of communication and developed our civilized appliances at large, should we be reluctant to trust private enterprise in further matters? Why slight the good and faithful servant and promote the unprofitable one from one talent to ten? Human desires are the motive forces from which come all social activities. These desires may use for their satisfactions direct agencies, as when men individually work to achieve their ends, or voluntarily combine in groups to do it; or they may use for their satisfactions indirect agencies, as when electors choose representatives, who authorize a ministry, who form a department, which appoints chief officials, who select subordinates who superintend those who do the work. Among mechanicians it is a recognized

truth that the multiplication of levers, wheels, cranks, etc., in an apparatus, involves loss of power, and increases the chances of going wrong. Is it not so with government machinery, as compared with the simpler machinery men frame in its absence? Moreover, men's desires when left to achieve their own satisfactions, follow the order of decreasing intensity and importance: the essential one being satisfied first. But when instead of aggregates of desires spontaneously working for their ends, we get the judgments of governments, there is no guarantee that the order of relative importance will be followed, and there is abundant proof that it is not followed. Adaptation to one function pre-supposes more or less unfitness for other functions; and pre-occupation with many functions is unfavourable to the complete discharge of any one. Beyond the function of national defence the essential function to be discharged by a government is that of seeing that citizens in seeking satisfactions for their own desires, individually or in groups, shall not injure one another; and its failure to perform this function is great in proportion as its other functions are numerous. The daily scandals of our judicial system, which often brings ruin instead of restitution and frightens away multitudes who need protection, result in large measure from the pre-occupation of statesmen and politicians with non-essential things, while the all-essential thing passes almost unheeded."

The aim of the Essay "Representative Government—What is it Good for" is to show that representative government is specially fit for administering justice and specially unfit for anything else. In the *Autobiography*, writing in or about 1889, Spencer says of this Article (which appeared in 1857) that in addi-

tion to the political aspect, it has aspects of a more general kind :—

“ Beyond a further development of the doctrine of limitation of duties, and a further bringing to bear of biological truths on Sociology, there was involved in it the general theory of evolution in so far as it implies that the specialization of structures in adaptation to special functions, is an advance in organization. Unfortunately the resulting conceptions were then, as they are now, caviare to the general! That inferences drawn from the laws of organization have a practical bearing on politics seemed thirty years ago, as it seems at present, an absurd fancy. There still continues the tacitly-implied belief, alike in statesmen and people, that there are no laws of organization. The conception of natural law, which does not exist in the savage, is as yet but rudimentary in the civilized.”

These observations of Spenceer's may usefully be compared with the following passages in the *Essay—an Essay* of forty-two pages replete with facts illustrative of the mischief of meddling legislation.

“ The ever increasing complexity which characterizes advancing societies, is a complexity that results from the multiplication of different parts performing different duties. The doctrine of the division of labour is nowadays understood by most to some extent ; and most know that by this division of labour, each operative, each manufacturer, each town, each district, is constantly more and more restricted to one kind of work. Those who study the organization of living bodies, find the uniform process of development to be, that each organ gradually acquires a definite and limited function : there arises, step by step, a more perfect ‘physiological

division of labour.' And in an article on 'Progress: its Law and Cause,' published in our April number, we pointed out that this increasing specialization of functions which goes on in all organized bodies, social as well as individual, is one of the manifestations of a still more general process pervading creation, inorganic as well as organic.

" Now this specialization of functions, which is the law of all organization, has a twofold implication. At the same time that each part grows adapted to the particular duty it has to discharge, it grows unadapted to all other duties. The becoming specially fit for one thing is a becoming less fit than before for everything else. We have not space here to exemplify this truth. Any modern work on physiology, however, will furnish the reader with abundant illustrations of it, as exhibited in the evolution of living creatures; and as exhibited in the evolution of societies, it may be studied in the writings of political economists. All which we wish here to point out is, that the governmental part of the body politic exemplifies this truth equally with its other parts. In virtue of this universal law a government cannot gain ability to perform its special work, without losing such ability as it had to perform other work.

" This, then, is, as we say, the pure science of the matter. The original and essential office of a government is that of protecting its subjects against aggression. In low, undeveloped forms of society, where yet there is but little differentiation of parts, and little specialization of functions, this essential work, discharged with extreme imperfection, is joined with endless other work: the government has a controlling action over all conduct, individual and social—regulates dress, food, ablutions, prices, trade, religion—exercises unbounded power. In becoming so constituted as to discharge better its essential function, the government becomes more limited alike in the power and the habit of doing other things. Increasing ability to perform its true duty involves increasing inability to

perform all other kinds of action. And this conclusion, deducible from the universal law of organization, is the conclusion to which inductive reasoning has already led us. We have seen that, whether considered in theory or practice, representative government is the best for securing justice. We have also seen that whether considered in theory or practice, it is the worst for all other purposes. And here we find that this last characteristic is a necessary accompaniment of the first. These various incapacities, which seem to tell so seriously against the goodness of representative government, are but the inevitable consequence of its more complete adaptation to its proper work; and so, understood, are themselves indications that it is the form of government natural to a more highly-organized and advanced social state.

Concerning the Essay "State-Tamperings with Money and Banks," Spencer notes in the *Autobiography* :—

"This essay . . . displayed once more my antagonism to over-legislation. It is significant, too, as showing in another direction an abiding faith in the self-regulation of internal social activities.

"An essay on such a subject seems a very unlikely place in which to meet with a biological doctrine; and yet one cropped up. Among the reasons given for reprobating the policy of guarding imprudent people against the dangers of reckless banking, one was that such a policy interferes with that normal process which brings benefit to the sagacious and disaster to the stupid. 'The ultimate result of shielding men from the effects of folly, is to fill the world with fools' was a belief expressed. This was a tacit assertion, recalling like assertions previously made, that the survival of the fittest

operates beneficially in society. It appears that in the treatment of every topic, however remote from philosophy, I found occasion for falling back on some ultimate principle in the natural order."

A profoundly significant passage from the Essay "Specialized Administration" may be quoted in illustration of the nature of the argument as finally stated in the above-mentioned supplemental chapter on the limits of State-Duties.

"It is a law illustrated by organizations of every kind, that, in proportion as there is to be efficiency, there must be specialization, both of structure and function—specialization which, of necessity, implies accompanying limitation. And, as I have elsewhere argued, the development of representative government is the development of a type of government fitted above all others for this negatively-regulative control, and, above all others, ill-fitted for positively-regulative control. This doctrine, that while the negatively-regulative control should be extended and made better, the positively-regulative control should be diminished, and that one change implies the other, may properly be called the doctrine of Specialized Administration—if it is to be named from its administrative aspect."

Reference is also made to this Essay in "The Filiation of Ideas" (*Life and Letters* : with note dated 1903).

"In an Essay on 'Specialized Administration' published in December, 1871, it was shown that the militant structures and the industrial structures, while growing more distinguished as expending structures and sustaining structures, grow more

distinguished also by the different forms of government proper to them : the one being under a despotic control needful to produce efficient joint-action, and the other being controlled by the mutual influences of the co-operating parts and not, in respect of their functions, subject to central direction. At the same time it was shown that individual organisms of high types furnish a parallel to this contrast in the contrast between the cerebro-spinal nervous system and the visceral nervous system. And here, more than before, was emphasized the truth that from the beginning war has been the cause of the development of centralized governmental structures, which become coercive in proportion as war is the dominant social activity ; while growth of that decentralized co-operation characterizing sustaining structures, becomes more marked as war ceases to be chronic : a corollary being that social types are essentially distinguished by the proportion between the militant structures and the industrial structures, and undergo metamorphoses according to the growth or decline of either order of activity."

CHAPTER XV.

STATE GENEROSITY DISASTROUS.

FOR reasons which have appeared a general discussion of the last two Parts of *The Principles of Ethics* which relate to Beneficence would be out of place here. An exception must, however, be made in respect of the first chapter of Part V ("The Ethics of Social Life—Negative Beneficence")—a chapter entitled "Kinds of Altruism." The justification for thus exceeding the limits of Part IV ("Justice") will become apparent. Part V and Part VI of *The Principles of Ethics* relate to the ethics of social life as much as does Part IV. These two parts, however, relate to social conduct which should be voluntary, and not compulsory. The most superficial glance at these parts of the *Synthetic Philosophy* will suffice to negative the unjustifiable objection raised by some of Spencer's critics. It has been seen that Part IV is concerned with pure justice alone ; and that the qualifying effects of Pity, Mercy,

and Generosity were excluded from Part IV, and remained to be considered ; and it is in Part V and Part VI that Spencer devotes one hundred and seventy pages enunciating the importance of beneficent actions of every kind ; and to enjoining the moral obligation to perform such actions. Those who are acquainted with Part I of *The Principles of Ethics* ("The Data of Ethics") will know that Spenceer therein points out that the highest life "is not achievable under a reign of justice only ; but that there must be joined with it a reign of beneficence." The elaboration of this text as relating to social life will be found in Part V and Part VI.

The aim of the first chapter of Part V ("Kinds of Altruism"), to which attention is here particularly directed, is to insist on the imperative necessity of discriminating between Justice and Generosity in respect of the means appropriate to them. The following passage will forcibly illustrate the importance of the subject-matter of this chapter :—

" On the one side the many eagerly expecting good and the few anxious to do good to them, agree in practically disregarding the line of demarcation between things which are to be claimed as rights and things which are to be accepted as benefactions : and while the division between the two is being obliterated, there is ceasing to be any separation made between

means appropriate to the one and means appropriate to the other. Hot-headed philanthropy, impatient of criticism, is, by helter-skelter legislation, destroying normal connexions between conduct and consequence ; so that presently, when the replacing of justice by generosity has led to a redistribution of benefits irrespective of deserts, there will be reached a state having for its motto the words :—It shall be as well for you to be inferior as to be superior.

“ The two great divisions of Altruism, Justice and Beneficence, are to be discriminated as the one needful for social equilibrium, and therefore of public concern, and the other as not needful for social equilibrium, and therefore only of private concern. . . .”

After briefly re-stating that justice under its various aspects requires the maintenance of the relation of conduct and consequence ; and after dwelling on the fact that before social life can reach its highest form, the requirements of equity must be supplemented by the promptings of kindness (“ The secondary law, that besides exchange of services under agreement there shall be a rendering of services beyond agreement ”) Spencer proceeds to show that the primary law, (Justice), must not be broken for the fulfilment of the secondary law, (Beneficence), “ and that therefore while enforcement of justice must be a public function the exercise of beneficence must be a private function.” Spencer says :—

“ Beneficence exercised by a society in its corporate capa-

city, must consist in taking away from some persons parts of the products of their activities, to give to other persons whose activities have not brought them a sufficiency. If it does this by force it interferes with the normal relation between conduct and consequence, alike in those from whom property is taken and in those to whom property is given. Justice, as defined in the foregoing pages, is infringed upon. The principle of harmonious social co-operation is disregarded; and the disregard and infringement, if carried far, must bring disasters. There are three which we may contemplate separately.

"If, that the inferior may have benefits which they have not earned, there are taken from the superior benefits which they have earned, it is manifest that when this process is carried to the extent of equalizing the positions of the two, there ceases to be any motive to be superior. Long before any such extreme is reached, there must result an increasing discouragement of the industrious, who see the surplus products of their industry carried away; and there must result among the better citizens an intensifying dissatisfaction, tending ever towards revolution. There must be a decline towards an unprosperous state and an unstable state.

"A further result must be a slow degeneracy, bodily and mental. If, by an indiscriminate philanthropy, means of subsistence are forcibly taken from the better for the improved maintenance of the worse, the better, most of whom have means already insufficient for the good nurture of offspring, must have these means made still further deficient, while the offspring of the worse must, to a like extent, be artificially fostered. An average deterioration must be caused.

"An equally disastrous, or still more disastrous, effect remains to be named. The policy, if persistently pursued, leads on to communism and anarchism. . . ."

These quotations (the last being only a fragment of a

long paragraph) from a chapter of thirteen pages will suffice to show that "Kinds of Altruism" is a chapter of great value as demonstrating the evils which must result from socialistic legislation.

It may be mentioned that in discussing Socialism from the stand-point of Sociology, Spencer notes that the ideal modes of associated living of the socialists are akin to modes which have prevailed widely during early stages of civilization, and still prevail among many of the uncivilized, as well as among some of the civilized who have lagged behind; and he gives evidence of the fact. He gives evidence of the numerous efforts and failures to set up such a form of associated living, and points out vital considerations which socialists ignore. After explaining the good results of spontaneous sympathies, Spencer says—(*Principles of Sociology*, §§ 842-3):

"But people who, in their corporate capacity, abolish the natural relation between merits and benefits, will presently be abolished themselves. . . ."

The next section opens with a paragraph in the following words:—

"At the same time that it is biologically fatal, the doctrine of the socialists is psychologically absurd. It implies an impossible mental structure."

These propositions are demonstrated. Owing to his unique grasp of the principles affecting the question, and of the unique character and extent of the facts at his disposal as appearing in the *Descriptive Sociology*, it is not surprising that the verdict of Social Science concerning Socialism is stated in condensed and scientifically perfect form. It is noteworthy that, as compared with the extent of Spencer's writings on the subject in general, only fourteen pages are occupied by the chapter of the *Sociology* entitled "Socialism"—and the *Sociology*, alone, contains over two thousand of the six thousand pages of the *Synthetic Philosophy*!

CHAPTER XVI.

REPLIES TO CRITICISMS.

THE affiliation by Spencer of the ultimate principle of social conduct upon the general process of organic evolution has given rise to much misunderstanding—misunderstanding which has, doubtless, in most cases arisen from unsatisfactory and careless methods. Although the days are gone for any serious opposition to the doctrine of Evolution as firmly established by Spencer, and confirmed in one of its special processes by Darwin, yet there is still a very general failure to appreciate the necessary implications of the law of evolution in the realm of Ethics. It is not, however, proposed here to anticipate sentimental objections, or criticisms likely to arise from an inadequate acquaintance with biological truths, which, studied in the light of Darwin's and Spencer's works, are simple and self-evident. Consideration will be limited to criticisms in respect of the replies to which Spencer

deemed it desirable to give a permanent place in his works. Material elucidation is afforded by Spencer's replies: and, although in the instances about to be cited, some of the criticisms were of views expressed in his other works, they nevertheless all apply to the doctrines enunciated in *A System of Synthetic Philosophy*, and are therefore pertinent to the argument. Extracts from criticisms and replies are about to be given in one or two instances at some length. This course is adopted advisedly; both on account of the illuminating nature of the replies, and to illustrate the exhaustive way in which Spencer has dealt, without exception, with all criticisms of any moment. It is much easier to criticize than to construct; and when Spencer assumes the rôle of critic—when he criticizes the criticisms of his critics—his real strength is more readily distinguished; his intellectual superiority is thrown into relief, and becomes, at once, abundantly evident: his mastery of his subject in all its ramifications, and the marvellous organization of his system of thought, its complete coherence, the architectural perfection of his philosophical structure—are facts which the logical excellence of his replies to criticisms bring conspicuously into view.

Several of the replies to criticisms to which these

remarks allude must be passed over for want of space. Even to those which relate to ethical doctrines, it will unfortunately be necessary to make but a brief reference. Before passing to criticisms of ethical doctrine, however, it may be well to note that in Vol. II of the *Essays* Spencer includes an article first published in the *Fortnightly Review* for November and December, 1873, in which he deals at length with attacks on his metaphysico-theological doctrines. The article extends to about one hundred pages. The critics answered in this Essay, which is entitled "Replies to Criticisms," are the Rev. Principal Caird, Dr. Mansel, Dr. Shadworth H. Hodgson, Professor Max Müller, Mr. H. Sidgwick and the Rev. James Martineau. In addition to these, the criticisms of a reviewer contained in the *British Quarterly Review* for October, 1873, concerning physical principles are, too, here replied to at length—the reply implicating Professor Tait—with whom a noteworthy correspondence subsequently ensued in *Nature* between March 26 and June 18, 1874. In this same article (the *Fortnightly Review* for December, 1873) Spencer devotes about six pages to a critic who, in the *Quarterly Review* for October, 1873, had specially directed attention to two points, viz.: (1) "That his system involves the

denial of all truths"; and (2) "That it is radically and necessarily opposed to all sound principles of morals." Spencer's reply illustrates the forbearing treatment he extended to critics—his patience and calmness being nevertheless at all times accompanied by the most exhaustive and painstaking care and accuracy. Interesting as is the subject matter of this criticism, and the reply, the incident is too early in date to make it desirable to discuss it. Attention is called rather to the manner than to the matter.

Passing now to criticisms concerning ethical doctrines which have been considered in preceding chapters, it will be found that in the "Postscript" to the revised edition of *The Study of Sociology* Spencer refers in general terms to misunderstandings of that work, and gives various explanations of the fact, referring particularly to impatience of attention resulting from an inability to grasp the whole of a complex proposition, and to premature conclusions on behalf of which some *amour propre* is enlisted. In rectifying certain misinterpretations, he says:—

"I will begin with one which, partly ascribable to the causes just indicated, is partly ascribable to another cause. It shows, in a striking manner how established modes of conceiving things

hinder the formation of alien conceptions: even to the extent of producing an apparent inability to form them. In Chapter XIV, I have contended that policies, legislative and other, which, while hindering the survival of the fittest, further the propagation of the unfit, work grave mischiefs. In the course of the argument I have said:—‘Fostering the good for nothing at the expense of the good is an extreme cruelty. It is a deliberate storing-up of miseries for future generations. There is no greater curse to posterity than that of bequeathing them an increasing population of imbeciles and idlers and criminals. To aid the bad in multiplying is, in effect, the same as maliciously providing for our descendants a multitude of enemies. It may be doubted whether the maudlin philanthropy which, looking only at direct mitigations, persistently ignores indirect mischiefs, does not inflict a greater total of misery than the extremest selfishness inflicts.’ After insisting on the blameworthiness of those who, by thoughtless giving, increase suffering instead of decreasing it, I have guarded myself against misinterpretation by saying:—‘Doubtless it is in the order of things that parental affection, the regard of relatives, and the spontaneous generosity of friends and even strangers, should mitigate the pains which incapacity has to bear, and the penalties which unfit impulses bring round. Doubtless in many cases the reactive influence of this sympathetic care which the better take of the worse, is morally beneficial, and in a degree compensates by good in one direction, for evil in another. It may be fully admitted that individual altruism, left to itself, will work advantageously—whenever at least, it does not go to the extent of helping the unworthy to multiply.’ And the reprobation I have expressed is mainly directed against the public agencies which do coercively what should be done voluntarily, as where I have said that:—‘A mechanically-working State-apparatus, distributing money drawn from grumbling rate-payers, produces little or no moralizing effect on the capables to make up for the multiplication of the incapables.’ Little did

I think that these passages would bring on me condemnation as an enemy of the poor. Yet in four French periodicals, representing divergent schools of French opinion, have I been thus condemned."

After quoting a passage from the *Bulletin du Mouvement Social*, 15 Juin, 1897, which contains the statement that:—"Il vous dira que, dans l'intérêt de l'espèce, il faut sacrifier sans pitié ceux qui ne sont pas armés dans la lutte pour l'existence. . . . Ecoutez Spencer," etc. And after quoting passages from a review of the *Study of Sociology* published in the *Revue des deux Mondes*, Vol. VI of 1874, pp. 107-8, in which the writer says:—"Condamner d'avance la faiblesse et l'infirmité c'est revenir à la théorie lacédémonienne de l'exposition des enfans," etc. Spencer proceeds:—"Then representing it as monstrous to 'afficher ces conséquences barbares au nom d'une loi biologique' and reproaching me with paying no regard to the social sentiments, to the tenderness for the feeble and so on, the reviewer winds up by exclaiming:— 'Quelle école de philosophie que celle où un Las Cases, un Vincent de Paul, un abbé de l'Epée, un Wilberforce, seraient considérés comme les ennemis de l'espèce humaine ?'"

Needless to say, Spencer gives an overwhelming

and crushing reply to these charges. In the two or three pages occupied by his reply an adequate answer will be found to any such criticisms.

To the "Postscript" to the revised edition of *Social Statics* (1892) is appended a "Note" as under:—"In some of the criticisms of this work, there has reappeared a mistaken inference, several times before drawn, that the doctrine of evolution as applied to social affairs precludes philanthropic effort. How untrue this is was shown by me in the *Fortnightly Review* for February, 1875." Spencer then reproduces the essential part of what was said in the above-mentioned article; and referring to Section 34 of *First Principles* in which he says of the hesitating inquirer, "He, like every other man, may properly consider himself as one of the myriad agencies through whom works the Unknown Cause," and to the concluding words of *The Study of Sociology*, in which it is stated that "the man of higher type must be content with greatly-moderated expectations, while he perseveres with undiminished efforts," he directs his attention to Professor Cairnes' criticisms of *The Study of Sociology*:—

"I do not see how Professor Cairnes reconciles with such passages, his statement that 'according to Mr. Spencer, the

future of the human race may be safely trusted to the actions of motives of a private and personal kind—to motives such as operate in the production and distribution of wealth, or in the development of language.' This statement is to the effect that I ignore the 'action of motives' of a higher kind; whereas these are not only necessarily included by me in the totality of motives but repeatedly insisted upon as all essential. I am the more surprised at this misapprehension because, in the *Essay on 'Specialized Administration.'* to which Professor Cairnes refers (see *Fortnightly Review* for December, 1871), I have dwelt at considerable length on the altruistic sentiments and the resulting social activities, as not having been duly taken into account by Professor Huxley."

Passing to another criticism (or supposed criticism) it will be found that in *Various Fragments* (the last but one of Spencer's works) a letter, originally published in the *Athenaeum* for August 5, 1893, is reproduced. It was drawn from Spencer in response to certain passages in the Romanes Lecture, delivered by the late Professor Huxley at Oxford in the Spring of 1893. The letter extends to over seven pages, and is an important and a brilliant one. Noting that a reviewer in the *Athenaeum* had rightly pointed out the incongruity between the leading doctrine of Professor Huxley's lecture and certain of a series of notes appended to the lecture, Spencer demonstrates the inconsistency of Professor Huxley's attitude by quoting a passage from the lecture and a passage

from the notes appended to it which are obviously fatal to one another and to the criticism which was supposed to have been directed against Spencer. After quotations from *The Principles of Ethics* of doctrines which are "diametrically opposed to that brutal individualism which some persons ascribe to me," a remarkable general agreement with Professor Huxley concerning fundamental ethical problems is then set forth.

"M. de Laveleye's Error" is the title of another article in *Various Fragments*. It deals with misinterpretations of the same character as those of M. Paul Janet mentioned above. In the *Contemporary Review* for April, 1885, M. de Laveleye has asserted that "Mr. Spencer considers that this effort for the improvement of the condition of the working classes, which is being everywhere made with greater or less energy, is a violation of natural laws," and described the action of the law of the survival of the fittest in the words (amongst others): "An old and sickly lion captures a gazelle; his younger and stronger brother arrives, snatches away his prize, and lives to perpetuate the species; the old one dies in the struggle, or is starved to death. Such is the beneficent law of the 'survival of the fittest.' It was thus among barbarian tribes. But

could such a law exist in our present social order ? Certainly not ! ” etc.

As to the first part of the criticism Spencer's comment is that it is quite untrue, as numerous passages from his books would show : and as to the second part of the criticism, Spencer asks :—

“ Unless he desires to suggest that I wish to see the principle operate among men as it operates among brutes, why did he write this paragraph ? In the work before him, without referring to other works, he has abundant proof that, above all things, aggression of every kind is hateful to me ; and he scarcely needs telling that from my earliest book, written more than a third of a century ago, down to the present time, I have urged the change of all laws which either inflict injustice or fail to remedy injustice, whether committed by one individual against another, or by class against class, or by people against people. Why, then, did M. de Laveleye make it seem that I would, if I could, establish a reign of injustice under its most brutal form ? ”

A difficulty of a different character altogether is dealt with by Spencer in yet another article in *Various Fragments* entitled “ Social Evolution and Social Duty.”

“ The conception of evolution at large, as it exists in those who are aware that evolution includes much more than 'natural selection,' involves the belief that from the beginning it goes on irresistibly and unconsciously. . . . The conception

of evolution at large, thus far correct, is by some extended to the highest form of evolution exhibited in societies. It is supposed that societies, too, passively evolve apart from any conscious agency ; and the inference is that, according to the evolutionary doctrine, it is needless for individuals to have any care about progress, since progress will take care of itself. Hence the assertion that ' evolution erected with a paramount law of man's moral and social life becomes a paralysing and immoral fatalism.' " " Here comes the error."

After otherwise abundantly illustrating the error, Spencer makes it clear by a simple analogy, and then gives the explanation of the error. The analogy, abbreviated, is :—

" All admit that we have certain desires which insure the maintenance of the race. Now, suppose some one argued that since, in the order of nature, continuance of the species was thus provided for, no one need do anything towards furthering the process by marrying. Yet absurd as he would be, he could not be more absurd than the one who supposed that the higher phases of social evolution would come without the activity of these sympathetic feelings in men which are the factors of them."

Spencer again deals with the question last considered in replying to an objection made to the formula of evolution by a sympathetic critic, Mr. T. E. Leslie. This " Reply " will be found in Appendix B to *First Principles*. In the course of his rejoinder, Spencer says :—

"But all who have fully grasped the argument of this work will see that the process of Evolution is not necessary, but depends on conditions."

With the exception of the replies contained in Appendix B and Appendix C to *First Principles*, which do not relate to ethical questions, the only replies which remain to be considered are four; contained as to one of them in Appendix C, and, as to three of them in Appendix E, to *The Principles of Ethics*. In Appendix E Spencer answers Mr. A. W. Benn, who in *Mind* (December, 1880) had blamed him for expressing a positive opinion respecting the inevitableness of the hedonistic view of morals. This reply, together with the other two which appear in Appendix E, originally appeared in *Mind* for January, 1881.

Appendix E is specially noteworthy because it was included in the second volume of the *Ethics* at a late date—1900—included for the express purpose of elucidating certain of the doctrines which have been considered at length in the preceding pages. The second volume of the *Ethics* was published in 1893—Part IV, "Justice," which is contained in it, having been separately issued in 1891. Appendix E was not included in the first edition of Vol. II of the *Ethics*—and it was not included in a later edition of Vol. II published

in 1897. But in the edition of Vol. II dated 1900 Spencer thought fit to give a permanent place to the replies to criticisms therein contained for the reason above stated. The wisdom of his decision will be at once apparent when the illuminating nature of his reply to Professor Means as explaining the formula of Justice is perceived. The following passage from Spencer's reply is especially noteworthy :—

"The reply is that Justice as I have defined it, Justice as formulated in law, and Justice as commonly understood, is satisfied when those concerned have so acted as that no one has been trespassed against by another, and, in case of contract, each has done all that was agreed to be done by him. If there has been direct aggression, greater liberty of action has been taken by the aggressor than by the aggrieved upon. If there has been indirect aggression by breach of contract such greater liberty of action has been taken : one has broken the understanding while the other has not—one has seized some advantage beyond that given as an equivalent, while the other has not. Justice is not concerned with the relative values of benefits and happinesses, as Professor Means implies, but only with the relative degrees of freedom used in pursuing benefits or happinesses ; and if neither by direct or indirect trespass have these degrees been made unequal there is no injustice. If it be said, as by Professor Means concerning wages given for labour, that very often men are practically coerced by social arrangements into making agreements they would not otherwise have made : then, the injustice exists not in the agreements unwillingly made, but in the social arrangements which have interfered with free volition. If, as appears from his argument, Professor Means holds that Justice comprises not

simply a regulation of actions such that each man shall leave others as much freedom to pursue their ends as he himself takes, but that justice involves the establishment of equivalence between advantages gained by co-operation, then the reply is that I am not concerned with Justice as so conceived. There are socialists who hold that there should be an equal division of benefits among men, irrespective of the values of their several labours. To many it seems unjust that the hard work of a ploughman should bring in a week, not so much as a physician easily gains in a quarter of an hour. Some persons contend that it is unjust that children born to the poor should not have educational advantages like those of children born to the rich. But such deficiencies in the shares of happiness some men get by co-operation, as arise from inferior natures they inherit, or from inferior circumstances into which their inferior ancestors have fallen, are deficiencies with which justice, as I understand it, has nothing to do. The injustice which entails on posterity diseases and deformities—the injustice which inflicts on offspring the painful results of stupidity and misconduct in parents—the injustice which compels those who inherit incapacities to struggle with resulting difficulties—the injustice which leaves in comparative poverty the great majority, whose powers of low order bring them small returns, is an injustice of a kind lying outside my argument. We have to accept, as we may, the established constitution of things, though under it an inferiority for which the individual is not blamable brings its evils, and a superiority for which he can claim no merit, brings its benefits; and we have to accept, as we may, all those resulting inequalities of advantages which citizens gain by their respective activities. But while it does not devolve upon me to defend the order of Nature, I may say again, as I have said at greater length already (§ 69), that only in virtue of the law under which every creature takes the good and bad results entailed by its inherited organization has life advanced to its present height and can continue to

advance. A so-called Justice which should equalize advantage apart from capacities, would be fatal ; while the Justice rightly so-called, which insists that each shall be as free as others to make the best of his powers, and that nothing shall intervene between his efforts and the returns they naturally bring (as decided by agreement) is beneficent immediately and remotely. This is the Justice which, as an end, I have contended is more intelligible than happiness as an end ; and I decline to be entangled by Professor Means in the difficulties which arise when there is substituted a justice which contemplates equivalence of results."

The remaining reply in Appendix E is that made to a criticism by Mr. Sidgwick. Leaving aside minor questions raised by Mr. Sidgwick, one passage must suffice to illustrate the nature of Mr. Sidgwick's main objection and of Spencer's reply. The argument appears in a condensed form, and it would be difficult, if not useless, to attempt to satisfactorily explain it in less space than the eight pages or so which it occupies :—

"The contrast between Mr. Sidgwick's belief and mine, respecting the relation between ethical doctrine and the theory of human and social evolution, will best be shown by an analogy. In the moral education of a child, proximately good results may be obtained in various ways. Its crying may be stopped by a *bon-bon* ; or its mother may alarm it by a threat : it may be led to learn a lesson by fear, or by the promise of a treat, or by the desire to please ; and in later childhood there may come, on the part of the father, a control which maintains order by regulating every action, or one which allows

a considerable amount of freedom and concomitant experience of good and evil results. Is it, or is it not, desirable to keep in view the fact that presently the child will be a man, and to frame a conception of what the man ought to be? Very frequently the mother, pursuing the empirical method of achieving proximately good results, ignores the question of this ideal and the conduciveness of her discipline to achievement of it: and not uncommonly the father, especially of the clerical sort, making numerous peremptory rules, considers scarcely at all whether his much-regulated boy is acquiring the qualities which will make him a self-regulating man. Shall we say that such proximately beneficial methods are the best which can be devised, or shall we not rather say that there can be no good education which does not bear the ideal constantly in view, and consider methods partly in reference to their immediate results, but still more in reference to their ultimate results? And, if so, must we not say the same with respect to adult humanity, which undergoes an education by social discipline? Of course, if Mr. Sidgwick agrees with those who hold that human nature is unchangeable, his position is tenable. But if he admits that man is adaptable, it becomes of some importance to consider of every proposed course, whether, by the entailed modification of conditions, it furthers or hinders progress towards the highest conditions and the highest human nature accompanying them. Though our steering must proximately be guided by recognition of rocks and sandbanks, yet, if we believe in a haven to be eventually reached, it is needful from time to time to consult the compass, and see whether, while avoiding rocks and sandbanks, we are also moving towards our haven."

Bare mention only can be made of the one remaining criticism, the reply to which will be found in Appendix C. This criticism was published in *The*

Guardian for July 16, 1890. In it, to quote but a word or two, the Rev. J. Llewelyn Davies had said :—“To the best of my knowledge, Mr. Spencer, though often challenged, has never fully explained how, with his philosophy, he can take advantage of the ordinary language and sentiment of mankind about duty. When Mr. Spencer inveighs with genuine moral vehemence against aggression he is borrowing *our* thunder,” etc.

A correspondence between Spencer and the Rev. Davies is given in Appendix C. After setting out the correspondence Spencer points out that a full answer is to be found in *The Data of Ethics*, Sections 42-46, adding, amongst further arguments, “Perhaps he will still ask—Why, having the feeling of obligation, should a man yield to it ? If so, the answer is of the same general nature as that which may be given to the question—Why, having an appetite for food, should a man eat ?”

In closing this very brief review of Spencer's replies to various criticisms it may be unhesitatingly and emphatically asserted that in all cases Spencer's replies are, at least, more than adequate : and they are, in addition, incomparable examples of dignified discussion, coupled with scrupulous fairness and sincerity of purpose, and with the most perfect reasoning.

CHAPTER XVII.

THE RATE OF PROGRESS.

“ ONE who denies the unlimited authority of the State is sure to be regarded by men at large as a fool or a fanatic. . . . The many-headed government appointed by multitudes of ignorant people, which has replaced the single-headed government supposed to be appointed by heaven. claims, and is accorded, the same unrestricted powers. It is not to be expected that among party politicians, eagerly competing with one another to gain votes by promising State Aids of countless kinds, any attention will be paid to a doctrine of State-duties which excludes the great mass of their favourite schemes. But in face of all the contemptuous reprobation coming from them it must still be asserted, as above, that their schemes are at variance with the fundamental principle of harmonious social life.”

The above words occur at the conclusion of the pages of *The Principles of Ethics* in which the Duties of the State are set forth; and they are perhaps more significant than a cursory perusal suggests. To appreciate this fully it is necessary to consult other references by Spencer to the improbability of his

doctrines meeting with general acceptance. In the Postscript to *The Man versus The State* Spencer gives specific reasons and mentions one from which all others originate. Notable allusion to the little effect to be expected from scientifically demonstrated principles occurs at the end of Part V of *The Principles of Sociology* ("Political Institutions"); and in *The Study of Sociology* the difficulties of Social Science, objective and subjective, including "The Educational Bias," "The Bias of Patriotism," "The Class Bias," "The Political Bias" and "The Theological Bias," are discussed at length.

At the end of "Political Institutions," for instance, Spencer says (to quote but a word or two):—

"All that can be done by diffusing a doctrine much in advance of the time is to facilitate the action of the forces tending to cause advance." . . . "To deter here and there one from doing mischief by imprudent zeal, is the chief proximate effect to be hoped for."

In *The Study of Sociology* (written ten years earlier), looking at the matter from a somewhat different standpoint:—

"It is not to be wished that with the average human nature we now have, there should be a wide acceptance of views natural only to a more advanced social state, and to the improved type of citizen accompanying such a state."

Spencer's clear recognition of the fact that his doctrines would meet with but little approval, and the terms in which he states the fact, and the reasons he gives, testify eloquently to his wonderful grasp of the subject ; and, in addition, his disregard of all considerations except that of formulating true principles, and placing them upon an impregnable scientific basis, is forcibly illustrated in the passages from which the brief quotations are given. His outlook was not limited to the near future. He saw that his ideals could only be realized in the remote future. Present-day civilization—or rather semi-civilization—is but a passing phase or stage of development in the life of the nations of to-day—nations which in their total lives will probably be but as ephemeral organisms in the history of social evolution at large ; nations which are but the semi-barbaric ancestors of the perfect societies which will eventually arise in the remote future by virtue of the law of evolution. A definite perception of the fact that progress must be slow (very slow compared with current ideas of what is to be achieved by legislation) accompanied this extended outlook. This subject, as affecting political conduct, is discussed in the *Autobiography*, and the rate of progress is fully explained in the "Conclusion"

to *The Study of Sociology*. Spencer demonstrates why the rate of progress *must* be slow; and he shows why it is impossible for his doctrines to meet with general acceptance, and why it is undesirable that they should do so. In the Essay "Reasons for Dissenting from Comte," it is stated that society is not to be reorganized by philosophy, but only by the accumulated effects of habit on character.

The fact that progress cannot be accelerated beyond a certain normal rate should, however, in no way diminish the stimulus to exertion. Whilst acceptance of the doctrine of evolution has a steadyng effect in that it brings prominently into relief the fact that large advances in human welfare can come only in the slow course of things—only as fast as men's natures and characters are organically altered for the better—it nevertheless becomes at the same time clear that it is easy to perturb, if not totally arrest, social evolution. Hence there is ample scope for action directed to the maintenance of the requisite conditions of progress. It may be worth while to consider for a moment why progress must be slow, and how it is easy to perturb it.

In the "Conclusion" to *The Study of Sociology*, Spencer explains why the rate of social amelioration cannot be accelerated. The brief quotation which

follows is typical of the way the argument is illustrated :—

“ As between infancy and maturity there is no short cut by which may be avoided the tedious process of growth and development through insensible increments, so there is no way from the lower forms of social life to the higher, but one passing through small successive modifications. If we contemplate the method of nature, we see that everywhere vast results are brought about by accumulating minute actions.”

And again in “ Spontaneous Reform ” (a brief essay contained in his last volume, *Facts and Comments*), the subject is indirectly dealt with. Spencer gives illustrations of the operation of natural causes in social evolution in evidence of the fact that society is not a manufacture—the implication being that progress must take place by slow and imperceptible changes. Thus :—

“ This vast social organization, the life of which we severally aid, and which makes our lives possible by satisfying our wants is just as much a naturally-developed product as is the language by which the wants are communicated. No State-authority, no king or council, made the one way more than the other.” . . . “ Small changes wrought by officials are clearly conceived, but there is no conception of those vast changes which have been wrought through the daily process of things undirected by authority. And thus the notion that society is a manufacture and not an evolution, vitiates political

thinking at large ; leading as in the case which has served me for a text, to the belief that only by coercion can benefits be achieved. Is an evil shown ? then it must be suppressed by law. Is a good thing suggested ? then let it be compassed by an Act of Parliament.”

The belief that societies arise by manufacture instead of arising, as they do, by evolution, is also discussed in *The Study of Sociology* in the chapter entitled “ Subjective Difficulties—Intellectual.” Attention is here primarily called to these passages for the purpose of emphasizing the idea that progress must be slow. In the last mentioned chapter Spencer says :—

“ Recognize the fact that incorporated masses of men grow, and acquire their structural characters through modification upon modification, and there are excluded these antithetical errors that humanity remains the same and that humanity is readily alterable.”

Men cannot be artificially made fit for the social state by “ hot-headed helter-skelter ” legislation. A badly working society cannot be “ re-constructed ” into a well working society by any process of artificially re-building its institutions. Political institutions are made of men, and good political institutions can no more be made of *bad* men than a good house can be built of bad bricks. The character of all aggregates

depends on the character of their units ; and, before society can be materially improved, *growth* of an average higher moral nature is essential. Contemplation of the time it has taken for the existing race to evolve out of its early historical ancestors will give some idea of the time which must elapse before the existing average moral type may be expected to evolve into an average type equal to the highest present-day types. "That which the best human nature is capable of is within the reach of human nature at large," says Spencer in *The Data of Ethics* : but, as he points out at the end of "The Coming Slavery," "There is no political alchemy by which you can get golden conduct out of leaden instincts."

It is important to remember, too, that all motion is rhythmical. Therefore the present Socialistic tide, which is fast leading to a tyrannical system of industries carried on under universal State-regulation, will ultimately turn, and give rise to new emancipations.

If social evolution is pre-determined, why trouble at all ? Again, turning to *The Study of Sociology* (a work which is invaluable as an introduction to that part of *The Principles of Ethics* which treats of the ethics of social life), it will be found that Spencer explains how it is easy to perturb social evolution.

On the preceding page to that above quoted he says :—

“ But it is easy to adopt a treatment which shall dwarf or deform or otherwise injure. Growth and development may be, and often are, hindered or deranged, though they cannot be artificially bettered.”

Similarly with the social organism. Though, by maintaining the required conditions, there cannot be more good done than that of letting social progress go on unhindered, yet immense mischief may be done in the way of disturbing and distorting and repressing by policies carried out in pursuance of erroneous conceptions. And thus, notwithstanding first appearances to the contrary, there is a very important part to be played by a true theory of social phenomena. Looked at from this stand-point, it becomes manifest that the constructive policy of real social reform is to maintain the conditions which are essential to further social evolution ; and this is neither more nor less than saying that the perfect ideal is for the State to administer pure justice ; and that it has no other function beyond that of acting as protector. Whilst this specialization of function involves the relinquishment of many imaginary duties, it also involves greater fitness for the more active control

and extension of functions in the one special direction in which State functions should be extended. Enforcing pure justice as formulated by Spencer includes enforcing the eight Commandments which substantially or literally come under the form "Thou shalt not," enforcing freedom of contract in every respect, enforcing all contracts, and securing to each his full rights of liberty and of property—the latter intact from taxation for any purpose whatsoever, other than for the purpose of protection. This extension of State functions in its proper sphere would include not only gratis remedies for criminal offences, but gratis remedies for civil offences—i.e., breaches of contract, frauds, nuisances and all forms of minor aggression. This, it will be seen, is the very reverse of a *laissez-faire* policy. In addition to this constructive policy, ample sphere of action remains in the resistance which is called for to all socialistic and interfering over-legislation—legislation which, however well intentioned, is calculated to hinder progress by decreasing liberty and by divorcing individual worth from individual prosperity—unjust legislation.

CHAPTER XVIII.

CONCLUSION.

It was seen at the commencement that *A System of Synthetic Philosophy* is in effect a scientific Moral Philosophy, Spencer specifically stating in his *Autobiography* that “*the whole system was at the outset, and has ever continued to be, a basis for a right rule of life, individual and social.*” It has, too, been seen that Spencer regarded “*Justice*” as the most important part of the *Synthetic Philosophy*—it being the part which treats of the Rights of the Man, and of the proper sphere of government—the topic with which the whole series of Spencer’s writings commenced in 1842—the topic to which he returned in *Social Statics* in 1851—the topic to which he at length again returned in *The Principles of Ethics* in 1891, after having fully developed the theory of Evolution, and completed the vast explorations in Physics,

Biology, Psychology and Sociology necessary to scientifically demonstrate the argument.

In view of the fact that the *Synthetic Philosophy* consists of ten volumes containing about six thousand pages, and of the fact that an immense range of subjects is dealt with in it, it has appeared desirable to show what parts of the work may be regarded as subsidiary; and, on the other hand, to emphasise the fact that *The Principles of Ethics* is the culminating work of the System; and that Part IV of that work, "Justice," may be regarded as containing the most essential doctrines of the ten volumes.

It has been seen that Spencer has in effect reviewed Part IV ("Justice") in the *Autobiography*, in his "review" of *Social Statics*—a most important fact as assisting the student. The fundamental principle of Spencer's ethics of social life (the law of equal freedom) is set forth alike in *Social Statics* and in "Justice." In "Justice" a deeper origin is found for the fundamental principle—(the biological origin), and the elaboration of its consequences is the cardinal trait. As the biological origin was only indicated in *Social Statics*, and not there elaborated, Spencer's "review" of *Social Statics* is necessarily deficient in explaining this origin.

It was, too, at the outset shown that Spencer's ethical system is not a pathological system. It is not part of the business of absolute ethics to discuss evils and remedies for evils. The business of absolute ethics is to show *how* and *why* certain modes of conduct are detrimental, and certain other modes beneficial; and to set forth principles of right conduct—to demonstrate that a certain code of laws is morally right—to demonstrate what rules of conduct are appropriate to the highest life—in brief, to formulate an ideal code. In other words again, as stated in *Social Statics*, absolute ethics is a kind of transcendental physiology.

The scheme of Part IV of *The Principles of Ethics*, "Justice," has been seen to be, in the first place, to ascertain what Justice is—to define Justice—to find a scientific basis for Justice. The conclusion which is demonstrated in various ways to be the true one, is, that Justice consists in each one receiving the benefits and bearing the evils entailed by his actions—a result which can only be achieved by the full liberty to act which forms the positive element in the formula of Justice as enunciated by Spencer. The formula of Justice is shown by Spencer to possess an authority transcending all others. The formula of Justice is

a statement in the abstract of the rights of the citizen—rights which it is the duty of the State to protect gratis. The rights of the citizen are not the creation of the State. Rights have an ethical basis independent of laws, and laws are just only in so far as they conform to ethical principles.

Having ascertained and formulated Justice, Spencer next proceeds to define the duties of the State. These are shown to be limited to protection—maintenance, of the conditions essential to each one receiving the benefits and suffering the evils of his actions. The duty of the State is not fulfilled by administering legal present-day codes. These are partly just and partly unjust. To rightly administer justice, the State must administer a code which fulfils the requirements of the formula of justice—the formula of justice being a statement in the abstract of an ideal legal code.

It is essential to discriminate between laws (legal rules) and that pure justice formulated by Spencer upon a basis possessing superhuman authority. It is by the administration of pure justice alone that the survival of the fittest can take place, and the preservation and prosperity of the species be assured.

The administration of justice, as defined by Spencer,

includes not merely gratis protection against criminals, but gratis protection against all forms of aggression. It is the duty of the State to enforce, gratis, all contracts ; to provide, gratis, redress for all frauds ; to abate, gratis, all nuisances ; and to provide, gratis, remedies in respect of all aggressions which involve injustice within the definition of justice as formulated by Spencer. It is in respect of the more perfect and complete administration of justice that Spencer advocates a great extension of the functions of the State—showing that the more perfectly justice is administered the higher will life become.

The assertion that the duty of the State is to administer pure justice does not in any way imply that Beneficence, Generosity, Pity and Mercy are not all-important factors in the evolution of Humanity. The assertion is that Justice is the primary law, and that it must not be broken for the sake of secondary laws. This fact precludes the State from the sphere of Beneficence ; since, if the State undertakes beneficent functions, it cannot do so without administering injustice—a failure to do its duty.

To Spencer the deductions of Moral Science are equivalent to Divine Commandments. They are to be conformed to irrespective of direct estimations of

happiness or misery. To Spencer ethical principles are a natural revelation of the conditions essential to the highest life ; and they should be obeyed with a recognition that they have a religious sanction. The highest life, individual and social, will only be reached, if it is reached, in the remote future, after many phases of social evolution have been passed through, and many bitter lessons learned. Perfect social arrangements—perfect life—is only to be had in societies composed of perfect men. Perfect men will be formed by no other process than by the slow modification of character, and by a slow process of adaptation to social life carried on under peaceful conditions. Philosophy will not convert *crooked* men into *straight* men. No array of facts or arguments can suddenly alter character. Character will alone be adequately altered by the accumulated experiences of centuries to come. Reason failing, as it does, and will continue to do, Nature will provide the remedy. The true idea of justice will be generated only by the actual experience of the evils which accompany the false idea. Disregard of ethical principles must ultimately be accompanied by suffering ; and when Socialisms have inflicted an adequate amount of suffering, then, it is to be hoped, the bonds will be burst asunder, and new

emancipations achieved. Freedom in fact will again take the place of nominal freedom.

A true ideal is essential; and Spencer has left humanity this priceless possession—a right rule of life, individual and social. The right rule of life, social, is the essence of Spencer's life work; and its power and value lies in the fact that it is a logically coherent political theory—an integral part of a Philosophy which consists from end to end of organized scientific knowledge—a Philosophy which consists of weaving together of scientifically established truths and principles—a Synthesis of Knowledge established by Science. If the *Synthetic Philosophy* is not a "moral Euclid," it is beyond question that it is the nearest possible approach to a "moral Euclid." There is no political problem but is included in one or other of the principles which Spencer logically demonstrates to be right political principles. Above all, the *Synthetic Philosophy* may be regarded as an anti-socialistic "Euclid"; since, if there is one political problem above all others which it may safely be asserted Spencer has solved and demonstrated for all time, it is the question of the proper sphere of government. The master-key to the final and conclusive solution of this question was found when Spencer came to perceive that

Evolution is a law true of all classes of phenomena. Perception of this fact leads to the perception of the principles by virtue of which the evolution of humanity has taken place, and must continue to take place if the highest life is to be reached : and thus by affiliating political principles upon the general process of Evolution Spencer has placed the ethics of social life upon the basis of scientific truth.

The great lesson to be learned in the *Synthetic Philosophy* is that social phenomena and ethical problems *do* admit of scientific treatment.

Appendices.

Appendix A.

PROFESSOR BOURNE'S DEFAMATORY STATEMENTS.

It is thought well to give a permanent place here to the extract given below from a letter from the late Sir Joseph Hooker in reference to a pamphlet published by the author of this work in September, 1910. The pamphlet was entitled *Herbert Spencer Refutes Recent Misrepresentations*, and it was written to challenge certain defamatory statements made by Professor Bourne in The Herbert Spencer Lecture for 1909.

The charge made by Professor Bourne to which Sir Joseph Hooker's letter more particularly relates was in the following words :--

"He [Herbert Spencer] has been accused of borrowing his zoology from Huxley, his botany from Hooker. It cannot be denied that there is a grain of truth in this accusation."

In a letter to the author dated October 2, 1910, Sir Joseph Hooker said :--

"I am much obliged to you for sending me your pamphlet on Herbert Spence's refutations, to which I cordially subscribe. Spencer owes little if anything to me beyond a cordial encouragement in his botanical studies and perhaps a few suggestions and specimens from Kew to experiment with."

An answer to the above-mentioned charge will be found in the Preface to the *Biology*. In reviving a “gross misrepresentation” Professor Bourne ignored Spencer’s refutation of it.

The testimony of Dr. Duncan may appropriately be added to that of Sir Joseph Hooker. Dr. Duncan, as is well known, is one of Spencer’s Trustees; and he is in addition Spencer’s biographer—the author of *Life and Letters of Herbert Spencer*—and the compiler of four numbers of Spencer’s *Descriptive Sociology*.

In acknowledging the pamphlet, Dr. Duncan said:—
“ You had a good case against Professor Bourne.”

It will be noted that Dr. Duncan’s statement applies to all the misrepresentations dealt with in the pamphlet.

Appendix B.

THE LAND-QUESTION.

"In the pages which follow the precise nature of Spencer's change of opinion on the Land-Question is traced out with a twofold object. In the first place a brief history of the change of opinion will serve to indicate in outline the exact nature of Spencer's views on the Land-Question, and, in the second place, Spencer's unique position in the world of thought and the scientific character of his great work requires that any change of opinion on important subjects should be fully explained, and its precise nature and extent placed beyond question. . . .

"On other grounds, too, it is desirable that Spencer's change of opinion on the Land-Question should be defined and stated in accessible form; and amongst them is the fact that this cannot be done satisfactorily without reference to several volumes of Spencer's gigantic works. The volumes to which it is necessary to refer contain in all upwards of ten thousand pages. They are as under:—

1. *Social Statics*. First edition. 1851.
2. *Social Statics*. American Edition. 1868.
3. *Social Statics*. Revised Edition. 1892.

4. *A System of Synthetic Philosophy.* (Vol. VII.) *The Principles of Sociology.* 1882.
5. *The Man versus The State.* 1884.
6. *A System of Synthetic Philosophy.* (Vol. X.) *The Principles of Ethics.* 1891.
7. *Various Fragments.* 1897.
8. *An Autobiography.* 1904.
9. *Essays.*
10. *Descriptive Sociology.*
11. *Life and Letters of Herbert Spencer.* (Duncan.) 1908."

The above quotation is from the Preface to a pamphlet by the author entitled *Herbert Spencer on the Land-Question*, recently published by the Land Union, wherein Spencer's doctrines concerning Land Tenure are explained, and the precise nature of his change of opinion is demonstrated, and its history given at length. Mr. Henry George's blunder in citing Spencer as an authority in favour of his scheme of "Nationalization" is also fully discussed.

The views expressed in *Social Statics* in 1851 and in *The Principles of Ethics* in 1891 may be briefly compared as under.

In *Social Statics* (1851) the conclusions reached were:—

1. That Ethics does not justify exclusive or absolute private ownership (allodial tenure)—tenure of such a nature that possession or a right of property in land could ethically be insisted upon against State requirements.
2. That the English law is just, therefore, in that it regards all land as held mediately or immediately of the crown or community.
3. That in the case of any disturbance by the State, or State purchase, existing owners are ethically entitled to just compensation.

4. That taxation of land cannot be justified for any purpose whatsoever except for the purpose of protection ; i.e. taxes for defensive warfare or for the administration of justice.
5. That in the distant future, and under much more perfect social conditions, Society would benefit by a purchase of the land at a fair and just price.
6. These doctrines form part of a system of "absolute" political morality—that is, form part of an ideal code—and were not practical proposals to remedy existing evils.

In *The Principles of Ethics* as in *Social Statics* Spencer maintains that the right of the whole community to the land survives—the right which is exemplified in the legal doctrine that all land is held of the crown. In *The Principles of Ethics* as in *Social Statics* it is maintained that the community cannot equitably resume possession without making compensation for the value given to the land by the labour of successive generations : all this value would have to be purchased of existing owners. In *The Principles of Ethics* as in *Social Statics* it is shown that taxation of land cannot be justified except for the purpose of defraying the cost of national defence and the administration of justice. And the doctrines of *The Principles of Ethics* like those of *Social Statics* are ideal political principles—not practical proposals.

So far, the matured conclusions reached do not differ from the conclusions enunciated forty years earlier.

The sole difference between the doctrines of *Social Statics* and the doctrines of the *Synthetic Philosophy* as appearing in *The Principles of Ethics* is to be found in the fact that whereas in 1850 Spencer assumed that a resumption of ownership by the State coupled with just compensation would leave a balance of benefit to the community, he, in 1891, saw that in 1850 he had over-

looked the considerations mentioned in *The Principles of Ethics* which completely turn the scale. To make anything like equitable compensation to existing owners would render the transaction a losing one: and he saw in addition that the implied re-organization would involve more evils than the present system of private administration.

Spencer's change of opinion was not, it will be seen, a change of principle but a change regarding policy.

The facts which have been here stated will be found to be placed beyond question in easily accessible form in the pamphlet where the matter is exhaustively dealt with—or by reference to Spencer's works—necessarily by far the most satisfactory method.

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